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ACTS

OF THE

STATE OF TENNESSEE

PASSED BY THE

FORTY-EIGHTH GENERAL ASSEMBLY,

1893.

STATE OF TENNESSEE

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***PUBLISHED BY AUTHORITY.***

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**PUBLIC ACTS**  
**OF THE**  
**GENERAL ASSEMBLY OF THE STATE OF TENNESSEE,**

**PASSED BY THE**  
**FORTY-EIGHTH GENERAL ASSEMBLY,**

*Which was Begun and Held at Nashville on the First Monday in  
January, in the Year of Our Lord One Thousand  
Eight Hundred and Ninety-three.*

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**CHAPTER 1.**

**AN ACT** to amend an act changing the line between the counties of McMinn and Polk, passed March 12, 1889, and approved March 16, 1889.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That Chapter 65 of the Acts of 1889 be so amended as to include all the lands of Levina Price in Polk County; said land is bounded on the north by the land of G. D. Carver, on the west and south by the lands of Capt. W. Coker, and on the east by the lands of N. S. Price, the husband of the said Levina Price.

**SEC. 2.** *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

Passed February 9, 1893.

**RALPH DAVIS,**  
*Speaker of the House of Representatives.*

**WM. C. DISMUKES,**  
*Speaker of the Senate.*

Approved February 9, 1893.

**P. TURNEY,**  
*Governor.*

## CHAPTER 2.

**AN ACT** to change the line between the counties of Davidson, Williamson, and Rutherford.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the lines between the counties of Davidson, Williamson, and Rutherford be changed so as to include all the lands of J. M. Gooch in Rutherford County, said lands being bounded as follows: On the north by lands of Mrs. Caruthers, and Palmer and Richardson; on the west by lands of the James Chrisman estate; on the south by lands of William Potts.

**SEC. 2.** *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

Passed February 9, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 3.

**AN ACT** to change the line between the counties of Carroll and Henderson.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Carroll and Henderson be changed to run as follows: Beginning in the center of Giffin's Creek, with W. A. Holder's east boundary line; thence up, and following the meanderings of Giffin's Creek, to C. F. McHany's west boundary line; with C. F. McHany's west boundary line back to the said creek; thence up center said creek to Sim Barkham's east boundary

line to York's Creek; thence up center of York's Creek to the county line, containing about seven hundred and fifty (750) acres, and including the lands of C. A. Gates, E. E. Williamson, W. A. Holder, G. W. Lovell, M. C. Lanier, and M. E. Jones, L. R. Burrough, Sim Barkham, Ranking and Williamson, W. N. Holmes in Carroll County.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed February 9, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 4.

AN ACT to amend Section 4551 of the Code of Tennessee, 1858, being Section 5301 of Milliken & Vertrees' compilation of the laws of Tennessee, relative to clerks' and masters' fees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That item number 62 of Section 4551 of the Code of Tennessee, 1858, being Section 5301 of Milliken & Vertrees' compilation of the laws of Tennessee, be so amended as to provide that in all chancery cases, where outgoing clerks and masters have sold property under decree of court in this State, and have not collected the funds arising from the sale of said property, or the sale having been made, and the funds collected but not disbursed, and the duty shall devolve upon the incoming clerks and masters of collecting and disbursing the funds, or of disbursing the same, they having been collected by the outgoing clerks and masters, and not disbursed, shall be the duty of the chancellor to make an equitable division of the commissions, arising under said item 62 of said section, between the outgoing and incoming clerks and masters.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed February 6, 1893.

RALPH DAVIS,

*Speaker of the House of Representatives.*

R. M. BARTON, JR.,

*Speaker pro tem. of the Senate.*

Approved February 9, 1893.

P. TURNEY,

*Governor.*

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## CHAPTER 5.

AN ACT to change the line between the counties of Williamson and Rutherford.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the existing line between the counties of Williamson and Rutherford be, and the same is hereby, so changed as to take from the said county of Rutherford, and include within the county of Williamson, the land of T. E. Stammers, hitherto lying in Rutherford County, and bounded as follows: On the east and south by the lands of William McMeekin, and on the west and north by the Williamson County line, and containing about twenty acres, more or less, and being the land on which T. E. Stammers now resides.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage.

Passed February 9, 1893.

RALPH DAVIS,

*Speaker of the House of Representatives.*

WM. C. DISMUKES,

*Speaker of the Senate.*

Approved February 9, 1893.

P. TURNEY,

*Governor.*



## CHAPTER 6.

AN ACT to regulate and dispose of the fees, costs, emoluments, perquisites, and commissions now appendant, and which may hereafter accrue to certain public officials, to wit: The office of governor, the office of secretary of state, the office of treasurer and commissioner of insurance, and the office of comptroller, and to regulate the salaries and compensation of the same, and to make a violation of this act a misdemeanor.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all fees, costs, emoluments, perquisites, and commissions now appendant, or that may hereafter accrue from any source whatever, to the office of secretary of state, the office of state treasurer and commissioner of insurance, and the office of comptroller, be and are hereby declared to be, the property of the state, and each of the above named officers shall collect the said fees, costs, emoluments, perquisites, and commissions that now append or that may hereafter accrue to his respective office, and pay the same over at once to the treasurer, to be used as a part of the revenue of the state. Fees, etc., to be paid over to treasurer.

SEC. 2. *Be it further enacted,* That each of the state officers mentioned in the first section of this act shall keep a true and perfect record of all the said fees, costs, commissions, and emoluments by him collected, or that may be due the state according to the first section of this act, and, when paid to the treasurer, shall demand and receive proper vouchers therefor, to be kept as part of the record of his office. Record of fees—vouchers.

SEC. 3. *Be it further enacted,* That the salary of the governor shall be four thousand dollars per annum, payable quarterly out of the treasury of the state on the warrant of the comptroller; and there shall be no fees of any kind attached or appendant to the office of governor, *ex officio* nor otherwise, and no fees in, for, or relative to the governor's office shall be hereafter collected, either for the use of the governor or for being turned into the treasury, or otherwise. Governor—salary.

SEC. 4. *Be it further enacted,* That the salary of the secretary of state shall be three thousand dollars per annum, payable quarterly out of the treasury of the state, on the warrant of the comptroller. Secretary of state—salary.

Treasurer—salary.

Comptroller—salary.

Compensation to cover all duties.

Penalty.

SEC. 5. *Be it further enacted*, That the salary of the treasurer, as state treasurer and as commissioner of insurance, shall be three thousand five hundred dollars (\$3,500) per annum, as compensation for services in said office or offices, and all *ex officio* duties; and the salary of the comptroller shall be three thousand five hundred dollars (\$3,500) per annum, as such, and for all *ex officio* duties, each payable quarterly out of the treasury, on the warrant of the comptroller.

SEC. 6. *Be it further enacted*, That for and in consideration of the salary herein stipulated to be paid to any official named in this act, such official shall do and perform all official services, acts, and duties as are now, or may be, imposed upon him by the laws of this state, including all official acts, services, or duties *ex officio* or otherwise, and the said salary stipulated herein shall be, and is hereby expressly declared, a full compensation and payment to him for the performance thereof. Such official services, acts, and duties, *ex officio* or otherwise, are hereby declared public duties pertaining to his office, and to be performed by him for and in behalf of the State of Tennessee, as its agent and officer; and all funds, fees, costs, emoluments, allowances, perquisites, and commissions pertaining to or arising from the performance of said official acts, services, and duties, shall be by him received, accepted, and accounted for as the agent and officer of the state, for and in behalf of the state, and as its property; and the performance of such official acts, services, and duties, *ex officio* or otherwise, shall be by him performed and rendered for and in behalf of the state, as the agent and officer thereof, in consideration of the allowance to him of the stipulated salary aforesaid. It is hereby expressly made a part of the duties of each of the aforesaid officers to demand, receive, and collect all fees, costs, emoluments, allowances, commissions, or perquisites that pertain to or are appendant to his office from whatever source, *ex officio* or otherwise, now accruing or hereafter to accrue, and pay the same over to the treasurer, as hereinbefore provided in Section 1 of this act.

SEC. 7. *Be it further enacted*, That any violation of any part of this act be, and is hereby made, a misdemeanor, and upon conviction the offender shall be fined not less than one hundred nor more than five hundred dollars for each and every violation.

SEC. 8. *Be it further enacted*, That all laws or parts of laws in conflict with this act, be, and are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed February 2, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

R. M. BARTON, JR.,  
*Speaker pro tem. of the Senate.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 7.

AN ACT to change the line between Maury and Lewis Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between Maury and Lewis Counties be so changed as to embrace in the county of Maury a tract of land known as the Barr tract, and owned by John Hildreth, containing one hundred and twenty-five acres, more or less, and bounded as follows, to wit: North by the lands of George King, west by the lands of James F. Walker, south by the lands of J. G. Ingram's heirs, and east by the county line between the counties of Maury and Lewis.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed February 9, 1893.

JOHN H. TRICE,  
*Speaker pro tem. of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 11, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 8.

AN ACT to amend Chapter 114 of the Acts of Assembly of 1883, entitled "An act to provide for the creation and organization, and defining the powers, of municipal corporations, embracing territories of cities having a population of thirty-six thousand and upwards, according to the Federal census of 1880, whose charters have been abolished," by providing for a board of education, and fixing its powers and duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 23 of said act be amended by striking out of the same the word, "schools," and also the words, "including the amount expected from the state school-fund for schools."

SEC. 2. *Be it further enacted*, That Section 33 of said act be amended by adding at the end of the first sentence the words, "except public school-buildings and grounds," and by inserting in the second sentence, after the word "budget," the words "except in relation to public schools and public school-buildings and grounds." That it shall be the duty of the board of education of such corporation each year and on or before its last meeting, regular or called, in the month of May, to agree upon an estimate for the expenses of the public schools of such corporation for the next ensuing year; said estimate shall be submitted in writing to the city council, at its first meeting in the month of June of each year, for its approval and adoption.

Board of education to estimate expenses, etc.

SEC. 3. *Be it further enacted*, That said act be further amended as follows: There shall be a board of education, composed of nine members, who shall have been *bona fide* residents of such city for at least two years prior to their election. Said members of said board shall be elected by the city council of such city to serve for the term of three years from the last Monday in January thereafter, or until their successors shall be elected and qualified; *Provided*, That at the first election there shall be elected three members to serve for one year, three for two years, and three for three years, and the annual election by said city

Board of education—election and duties.

council, for the purpose of filling expirations as they occur, shall be on the first regular meeting of said city council in January of each year, or as soon thereafter as practicable, and the term of office of the members so elected shall begin on the last Monday in January thereafter; *Provided*, That in any city controlled by this act in which a board of education has been heretofore created, and is acting under municipal ordinance, the term of office of the members of such board of education shall not be hereby disturbed or affected. The members of said board of education shall devote such time and attention to the duties of their office as the efficient performance thereof may require, and their service shall be without compensation. Every member elected to serve upon said board of education shall qualify by making oath or affirmation before the recorder of such city, as follows: "I do solemnly swear that I will support the constitution of the United States, and the constitution of the State of Tennessee, and to faithfully and impartially discharge the duties of this office."

Said board of education shall have power to fix upon its times for meetings, and making such rules for its own government as it may think proper; but all meetings, and the election of teachers, shall be held in such manner as may be provided by the city council.

To fix meetings and rules.

Said board of education shall have power to prescribe the plan of instruction and organization of the public schools, subject to the approval of the city council; and no change shall be made in such plan, after it has been approved and adopted, except by and with the approval of the city council.

To prescribe plan of instruction.

Said board of education shall have exclusive power to employ such superintendents, principals, teachers, janitors, and other persons as it may deem necessary for the execution of its duties, and fix their salaries and compensation within such limits as the city council may, by ordinance, prescribe; and it shall also have the exclusive power over the furnishing, repairing, cleaning, lighting, and heating of all public school-buildings, and also over the selection of locations and plans of all such buildings hereafter to be constructed, but all such plans and locations shall be subject to the approval of the city council.

To employ, fix salaries, etc.

Said board of education shall have exclusive power To pay salaries. to pay the salaries of the superintendents, principals, teachers, janitors, and other employes, and to make such other expenditures within their budget as shall cost less than one hundred and fifty dollars (\$150) for any single expenditure; but in all cases, when the estimated cost of any single expenditure, except salaries as salaries as above stated, exceeds one hundred and fifty dollars (\$150), it shall transmit to the city council of said city, with its recommendations, an ordinance authorizing such expenditures with an estimate of the cost.

Estimate of expenses to be submitted. Said board of education shall, on or before the day fixed in each year, prepare and submit to the mayor and city council, for approval and adoption, an estimate of the amount of money which will be required for the maintenance of the public schools for the succeeding year, which estimate shall set forth the various items of expense as accurately as possible—the salaries attached to the various positions being set out in detail; and it shall be the duty of said mayor and city council, upon its approval and adoption, in their annual levy of taxes, to make such levy, as in their judgment, shall be necessary and advisable to meet the expenditures contemplated in such estimate; and the amount so levied, together with all funds received by said cities under Section 56 of said act, shall be collected and carried to the credit of the board of education; and shall not be diverted from said board, or used by said mayor and city council for any other purpose, but the same shall remain as a separate fund in the hands of the treasurer of said city. In case of a deficit in the school-fund for any year, the councils may, by ordinances, supply the same by a supplemental appropriation from the general fund.

Removal—vacancy.

Any member of said board of education may be removed from office for incompetency, inefficiency, neglect of duty, or misconduct in office, by a vote of two-thirds of all the members elected to the city council of such city. Any vacancy in the board of education occasioned by death, resignation, removal out of the city, or otherwise, shall be filled for the unexpired term under the same rules as other elections of members of the board.

SEC. 5. *Be it further enacted*, That this act take ef-

fect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 11, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 9.

AN ACT to repeal an act passed March 26, 1891, and approved March 30, 1891, entitled "An act to prevent the taking or catching of fish by means of any seine or net from any running stream of water in Sullivan County, Tennessee."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act passed March 26, 1891, and approved March 30, 1891, entitled "An act to prevent the taking or catching of fish, by means of any seine or net, from any running stream of water in Sullivan County, Tennessee," be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed February 8, 1893.

JOHN H. TRICE,  
*Speaker pro tem. of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 11, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 10.

AN ACT to change the time of holding circuit court of Giles and Maury Counties, in the ninth judicial circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act, the terms of the circuit court for Giles County shall commence on the second Mondays in April, August, and December, instead of the first Mondays in said months, as now provided by law ; and that the terms of the circuit court for Maury County shall commence on the second Mondays in January, May, and September, instead of the first Mondays of said months, as now provided by law.

SEC. 2. *Be it further enacted*, That all bonds and recognizances taken to, and process issued to and returnable to, said first Mondays in April, August, and December in Giles County shall be valid and binding, and returnable to said second Mondays as aforesaid ; and all bonds and recognizances taken to, and process returnable to, said first Mondays in January, May, and September in Maury County shall be valid and binding, and returnable to said second Mondays as aforesaid.

SEC. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed ; and that this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,

*Speaker of the Senate.*

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

Approved March 11, 1893.

P. TURNEY,

*Governor.*



## CHAPTER 11.

AN ACT to amend an act, entitled "An act to provide for the organization of corporations," approved March 23, 1875, so as to authorize the organization of railroad terminal corporations, and to define the powers, duties, and liabilities thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act, the title of which is recited in the title of this act, be so amended that charters for purposes of individual profit may be granted to any association of individuals for the purpose of acquiring, constructing, maintaining, operating, or leasing to others railroad terminal facilities as hereinafter provided.

SEC. 2. *Be it further enacted*, That in order to facilitate the public convenience, and the safety of the transmission of railroad passengers and freight, and to prevent unnecessary expense, inconvenience, and loss to the public, any five or more individuals, not Charter—five or more to obtain. under the age of twenty-one years, may apply for and obtain a charter for a railroad terminal corporation, with the powers and rights, duties and liabilities hereinafter set forth.

SEC. 3. *Be it further enacted*, That the form of a charter for such a railroad terminal corporation shall be as follows :

### "STATE OF TENNESSEE—CHARTER OF INCORPORATION.

"Be it known that [here insert the names of five or more individuals not under the age of twenty-one years] are hereby constituted a body-politic and corporate, by the name and style of [here insert the name of the corporation], for the purpose of acquiring, constructing, maintaining, operating, or leasing to others, railroad terminal facilities for the accommodation of railroad passengers, and for handling and transferring railroad freight.

"The general powers of said corporation are [here insert the powers, etc., as contained in section five of the act which this act is intended to amend]; and, in addition to the above powers, said corporation shall General and special powers.

have the power to acquire, in this or any other State or States, and at such place or places as shall be found expedient, such real estate as may be necessary on which to construct, operate, and maintain passenger stations, comprising passenger depots, office buildings, sheds and storage-yards; and freight stations, comprising freight depots, warehouses, offices and freight-yards, round-houses and machine-shops; also main and side-tracks, switches, cross-overs, turnouts, and other terminal railroad facilities, appurtenances, and accommodations suitable, in size, location, and manner of construction to perform promptly and efficiently the work of receiving, delivering, and transferring all passengers and freight traffic of railroad companies with which it may enter into contracts for the use of its terminal facilities at such place or places. Said corporation shall have the power, by purchase, lease, or assignment of lease, to acquire and hold, and to lease to others, such real estate as may be necessary for the above mentioned purpose of its incorporation; and it may also acquire such real estate by condemnation, in pursuance of the general law authorizing the condemnation of private property for works of internal improvement, as set forth in Sections 1325-1348, both inclusive, of the Code of 1858, which are as follows, viz.: [Said sections of the Code to be here literally copied and inserted.]

Town or city—  
provisions as to.

“Whenever it may be necessary in order to enable said corporation to acquire and construct proper railroad terminal facilities in any town or city, or to connect such facilities with the tracks of any railroad company with whom said corporation may have contracted to furnish such facilities, said corporation, with the consent of the proper authorities of such town or city, shall have the right to lay and operate a track or tracks across or along or over or under such of the streets or alleys of such town or city as may be necessary for that purpose; and said corporation may also, with such consent, construct such passenger or freight depots or stations across or along, over or under any such street or alley when it shall be necessary in order to furnish proper railroad terminal facilities in said town or city. But no street or alley of any town or city shall be obstructed or interfered with until the consent of the proper authorities of said town or city shall have been first obtained.

"Said corporation may, from time to time, borrow such sums of money as may be necessary for the acquisition, construction, maintenance, repair, or operation of such passenger or freight depots, or stations and other terminal facilities, as are above mentioned, and to issue and dispose of its bonds for such amounts and at such prices as it may think proper, and to mortgage its corporate property rights, privileges, and franchises for the purpose of securing the same. At any place where said railroad terminal corporation may acquire and construct passenger stations, said corporation may keep on said premises a hotel or restaurant, or both, and also a news stand.

May borrow money.

"The said corporation may lease to any railroad company or railroad companies its freight or passenger depots or stations, and its other terminal facilities located at any place where the line or lines of said railroad company or companies may terminate, or through which they may pass, and such lease may be upon such terms and for such time as may be agreed upon by the parties.

May lease to railroad companies.

"Said railroad company or companies may severally or jointly, or jointly and severally, guarantee the principal and interest of such bonds as may be issued by said railroad terminal corporation, and may in like manner guarantee the performance of any other contract that said railroad terminal corporation may make in regard to its corporate business.

Principal and interest of bonds—may guarantee.

"Any such railroad company or companies may also subscribe, hold, and dispose of the capital stock or bonds which may be issued by said railroad terminal corporation, and said railroad terminal corporation may acquire, hold, and dispose of the capital stock or bonds of railroad companies, or of other terminal companies, for the purpose alone of raising money for the acquisition, construction, maintenance, and repair of such passenger and freight depots and stations, and other terminal facilities as above mentioned, and not for the purpose of speculating in stocks or bonds, or managing or controlling railroads.

Capital stock—provisions as to

"The right is reserved to repeal, amend, or modify this charter.

"We, the undersigned, apply to the State of Tennessee, by virtue of the laws of the land, for a charter of incorporation for the purposes and with the powers, etc., declared in the foregoing instrument.

“Witness our hands, this the——day of——  
A.D. ——.”

SEC. 4. *Be it further enacted*, That said application shall be acknowledged and registered, as required by the act which this act is intended to amend.

SEC. 5. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 17, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 12.

AN ACT to define and prescribe the powers and duties of building and loan associations, and to amend Section 14 of Chapter 142 of the Acts of 1875, passed March 19, 1875, and approved March 23, 1875, entitled “An act to provide for the organization of corporations,” and Chapter 267 of the Acts of 1889, entitled, “An act to amend Section 14 of an act passed March 19, 1875, entitled, ‘An act to provide for the organization of corporations.’”

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That building and loan associations authorized and permitted to be incorporated under the provisions of Chapter 142 of the Acts of 1875, and Chapter 267 of the Acts of 1889, may be invested with the following powers, and subject to the following duties and restrictions, viz.: Said association may issue stock in different series, provided the par value of the shares shall not exceed two hundred dollars, and provided no person shall own more than one hundred shares of stock of the par value of two hundred dollars. Said association may issue installment stock, to be paid for in periodical sums, and prepaid and paid-up stock, upon which a gross sum shall be paid in advance in cash, as may be prescribed

Stock—kinds of.

by the by-laws, and cash dividends may be paid on the said stock, authorized to be issued, out of the net earnings, as the by-laws may prescribe, provided such dividends shall not exceed the per cent. of profits earned. Every share of stock shall be liable for and subject to a lien for the satisfaction of any unpaid installments and other proper charges, such as fines, premiums, and interest on loans. Any stockholder whose stock is not pledged for a loan, shall be entitled to withdraw upon such conditions as may be prescribed in the by-laws, upon thirty days' written notice. The board of directors shall have the power to loan the funds of the association to its stockholders, either in open meeting or by action on written application and bids at a rate of interest not in conflict with the laws of the State, and the premium may be payable in installments or otherwise. The board of directors shall have the right, for sufficient reason, to reject any bid or application, but such action shall not be arbitrary. The board of directors shall have the power, should they elect to do so, to establish or maintain by its officers or agents branch offices for the conduct of its business at as many places as may be desired.

Withdrawal.  
Loans.  
Branch offices.

SEC. 2. *Be it further enacted*, That this act shall not apply to any existing building or loan association or associations organized under Chapter 142, Acts of 1875, or Chapter 267, Acts of 1889; *Provided, however*, That any association heretofore incorporated and organized under Chapter 142 of the Acts of 1875, or Chapter 267 of the Acts of 1889, may avail themselves of the benefits of this act, and obtain the powers herein granted in the manner and form prescribed in Section 19 of Chapter 163 of the Acts of 1883, brought into Milliken & Vertrees' compilation of the laws of Tennessee by Section 1695.

Application of act.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage, the public welfare requiring it.

PARK MARSHALL,  
*Speaker pro tem. of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 17, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 13.

AN ACT to authorize the mayor and aldermen of the city of Murfreesboro, Tenn., to issue bonds to the extent of thirty thousand dollars for the purpose of constructing a sewerage system in said city, and to collect a special tax to provide for the payment of same, and the interest thereon.

To issue bonds. **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the mayor and aldermen of the city of Murfreesboro, Tenn., be, and they are hereby, authorized and empowered to issue coupon bonds, for the purpose of constructing in said city a sewerage system, to an amount not to exceed thirty thousand dollars (\$30,000), in the manner and under the restrictions herein provided.

Denomination, etc. **SEC. 2.** *Be it further enacted,* That all bonds issued under this act, shall be of such denomination, bear such rate of interest, not exceeding six per cent. per annum, and be due in such time, not less than five nor more than fifteen years from date, and shall be issued to such an amount, not exceeding thirty thousand dollars, as the corporate authorities may determine; *Provided,* All bonds shall bear the same date and interest, and be payable at the same time, and shall be redeemable at the pleasure of the municipal corporation after five years from their date.

Bonds not sold below par; coupons receivable for taxes. **SEC. 3.** *Be it further enacted,* That the bonds provided for by this act shall, in no case, be sold for less than par, and the coupons attached shall, at their maturity, be receivable for all taxes and dues to the corporation, except the "Sinking Fund Tax," provided by said corporation to pay off its present indebtedness, or to pay off the bonds to be issued by the authority of this act.

Sinking fund. **SEC. 4.** *Be it further enacted,* That before the issuance of any bonds hereunder, the said corporation shall provide, by ordinance, for a sinking fund with which to retire said bonds at maturity, and to pay the interest on same annually by levying a special tax, to be designated the "Sinking Fund Tax" for sewerage purposes, the same to run with the bonds, and to be collected annually, and used exclusively for the purposes levied, and to be sufficient, with its

accumulation, as nearly as can be estimated, to meet the principal of said bonds at maturity.

SEC. 5. *Be it further enacted*, That said mayor and aldermen, before issuing any bonds under this act, shall appoint or elect three citizens of said city, not members of the board of mayor and aldermen, who shall be known as the "Sewer System Sinking Fund Commissioners," who shall hold their office for two years, and until their successors are appointed or elected and qualified, and to be so selected that the term of one of them shall be for one year, one for two years, and one for three years; and every year thereafter one shall be elected for three years. Commissioners.

SEC. 6. *Be it further enacted*, That said commissioners shall take an oath, before some person authorized to administer oaths in judicial proceedings, faithfully to perform and discharge their duties; and shall give bond in such sum, and otherwise qualify themselves and receive such compensation, as said mayor and aldermen may, by ordinance, provide. Oath.

SEC. 7. *Be it further enacted*, That said commissioners shall receive the sinking fund tax herein provided from the collector of taxes for said city, and may invest the same from time to time, and make settlements of their accounts in such manner and with such persons as the corporation may, by ordinance, direct. May invest funds.

SEC. 8. *Be it further enacted*, That bonds for the purpose of constructing said "sewer system" in said city may be issued for any and all purposes incident thereto and necessary in the construction of said system, provided the whole issue does not exceed the sum of thirty thousand dollars. Limit of issue.

SEC. 9. *Be it further enacted*, That, upon the issuance of said bonds, they shall be valid and binding indebtedness upon said municipal corporation, and said mayor and aldermen are hereby authorized and empowered to levy and collect, annually, beginning with the year 1894, while said bonds, or any of them, are outstanding, a special tax, not exceeding the rate of two mills on the dollar, on the assessed value of all taxable property, taxable by law for corporation purposes, for the purpose of providing the sinking fund prescribed by this act, and for the purpose of paying the interest on the bonds issued under this act, as it becomes due; and that Section 21, Chapter 92, Acts of 1875, Section 1620 of Milliken & Vertrees' Bonds binding debt; tax authorized.

Code of Tennessee, be, and the same is hereby amended so as to allow said mayor and aldermen of said city of Murfreesboro to levy and collect the special tax herein provided for, in addition to all other taxes now authorized by law to be levied by said corporation.

Voters to approve.

SEC. 10. *Be it further enacted*, That before any bonds are issued under this act, the amount thereof, and the issuance of same, shall be submitted to the vote of all the qualified voters of said city, two-thirds of whom shall approve the same. The election for same to be advertised by newspaper notices for sixty days.

SEC. 11. *Be it further enacted*, That all acts and laws in conflict with this act, in so far as they do conflict with it, be, and the same are hereby, repealed; and that this act take effect from and after its passage, the public welfare requiring it.

Passed March 10, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 17, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 14.

AN ACT to amend the charter and extend the limits of the corporation of the town of Covington, and to amend Section 2 of Chapter 57 of the Acts of 1869-70, passed February 17, 1870, fixing the boundaries of said town of Covington.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2 of the Acts of the General Assembly of the State of Tennessee, passed February 17, 1870, be, and the same is hereby, amended so that the boundary line of the corporation of Covington shall be, and the same is, as follows, to wit: Beginning at a sweet-gum, the present southwest corner of the corporation of the town of Covington; thence south 3° east 17.20 chains to a stake; thence



north 87° east 29.25 chains to center of mountain road; thence with the center of same south 3° east 1.25 chains to a stake; thence north 70.25° east across Douglas place 19.25 chains to a stake in the center of the Covington and Mason road; thence with center of same south 27° 25' east 4 chains to a stake; thence north 87° east 8.9 chains to a stake in W. C Boyce's field; thence north 3° west, passing on west edge of his barn, 19.85 chains to the present corporation line; thence north 87° east at 2.05 chains, passing south-east corner thereof, in all 8.95 chains to a stake on James Byars' south line; thence north 3° west 52.75 chains to C. R. Harris' south line; thence with same south 86° 25' west 16.65 chains to a stake; thence north 4° 25' west 14.35 chains to a stake on the south side of Ripley road, from which south 47° 75' west 19 links to an elm 5 inches in diameter; thence with south side of said Ripley road south 88° 75' west 16.80 chains to the center of town spring branch; thence north with said branch 3.15 chains to thorn locust on west bank of same; thence west 3.62 chains to Ned McGregor's north-east corner; thence south 2.65 chains to the south side of lane; thence with south side of same west 28 chains to a stake on south side of Military road; thence south 3° east 71.64 chains to the beginning.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

PARK MARSHALL,  
*Speaker pro tem. of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 17, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 15.

AN ACT for the protection of game in Gibson, Montgomery, Giles, and Lincoln Counties, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter it shall be unlawful for any person or persons to kill, net, trap, or capture quail or partridges, for pleasure or profit, on his own land or elsewhere in Gibson, Montgomery, Lincoln, and Giles Counties, Tennessee, at any season of the year other than from the first day of November to March 1st of each year within the time limited; *Provided,* It shall be unlawful for any person or persons to net quail or partridges at any season of the year.

SEC. 2. *Be it further enacted,* That any person violating this act, or any of its provisions, when convicted, shall be fined for each offense not less than five dollars nor more than twenty-five dollars, and imprisonment at the discretion of the court.

SEC. 3. *Be it further enacted,* That grand juries shall have inquisitorial power of all violations of this act, and the same shall be given in the charge by circuit and criminal court judges to the grand juries.

SEC. 4. *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

PARK MARSHALL,  
*Speaker pro tem. of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 17, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 16.

AN ACT to amend Section 3941 of the Code of Tennessee, known as Section 3754 of Milliken & Vertrees' compilation of laws, in reference to notice to be given of the sale of certain kind of perishable property.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 3941 of the Code of Tennessee, known as Section 3754 of Milliken & Vertrees' compilation of laws, be, and the same is so amended as to read as follows: That the advertisement of sale shall be at least twenty days for land, and ten days for all other kinds of property, except for the sale of fruits and vegetables, when the sale may be made after advertisement by the officer making the levy of twenty-four hours' written notice thereof, being posted in three conspicuous places in the civil district of the place of levy and sale.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 17.

AN ACT to authorize the county of Davidson, Tennessee, through its quarterly county court, to issue bonds to purchase lands and to build an asylum for the insane, poor and afflicted, and inebriates of said county, and to borrow money upon the promissory note of said county for said purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Davidson,

May issue bonds  
—maturity.

through its quarterly county court, at a regular session or a called session of said court, be, and the same is hereby, authorized and empowered to issue coupon bonds of the county for the purpose of purchasing land and for erecting buildings for the insane, poor and afflicted, and inebriates of said county, and for making such other necessary improvements as may become necessary for the aforesaid purpose, not to exceed the sum of two hundred thousand dollars, bearing a rate of interest not to exceed six per cent. per annum, payable semi-annually; the bonds herein provided for to mature at a time or times, from three to twenty years, as may be fixed by order of said quarterly county court.

Signing and  
denomination.

SEC. 2. *Be it further enacted*, That each of said bonds shall be signed by the county judge of said county court, and countersigned by the county court clerk, with his official seal affixed to the same; and said bonds may be executed of the denomination of one thousand to ten thousand dollars, at the discretion of said county court.

Coupons—pro-  
visions as to.

SEC. 3. *Be it further enacted*, That each of said bonds shall be issued, with coupons attached, showing the amount of each semi-annual installment of interest on said bonds, and when the same shall fall due, which coupons shall be signed and countersigned in the same manner as the bonds, but without the official seal of the clerk, and showing on their face the number and denomination of the bond to which they are attached. The coupons herein provided for shall become due semi-annually, and the said bonds and coupons, when due, shall be presented for payment to the county judge, who shall issue his warrant, which shall be especially prepared for the purpose, with suitable stubs for the trustee and tax-collector, and shall attach said bonds and coupons to said warrants, which, when presented to the trustee and tax-collector for payment, shall be paid by him; and the warrant and bonds and coupons attached shall be by him canceled by perforations, and shall be preserved by him, as his vouchers on settlement with the county judge.

Special tax.

SEC. 4. *Be it further enacted*, That each denomination of said bonds shall be numbered in the order of issuance, commencing with one, and the said quarterly county court, at the time it levies taxes for other purposes in each year, shall levy a special tax on all the

taxable property and privileges in the county sufficient to pay each installment of the principal debt and interest, to be collected by the revenue collector as other taxes, and the same, when collected, shall be only for the payment of said installment and interest, and none other.

SEC. 5. *Be it further enacted*, That the county judge of said county shall cause to be made a well-bound book, to be kept by him, to be denominated "The Asylum Bond and Coupon Book," in which the number of each bond, date of issuance, and when due, and the amount, shall be entered. Said bond-book shall be so arranged that, when the bonds and coupons are paid and canceled, the same may be preserved by pasting them in said bond-book; and it shall be the duty of the county judge, after settlement with the trustee and tax-collector, to take charge of said bonds and coupons, and cause the same to be pasted in other proper places in the said book, and to preserve said book as a record of his office.

SEC. 6. *Be it further enacted*, That the bonds herein provided for shall not be sold or hypothecated for less than their par value. Not sold below par.

SEC. 7. *Be it further enacted*, That should the quarterly county court so determine, the county of Davidson be, and the same is hereby, authorized and empowered, instead of the bonds hereinbefore provided for, to issue its promissory note for the purpose hereinbefore specified in Section 1 of this act, with the same limitations and conditions as therein expressed in regard to issuing bonds. May issue promissory notes instead of bonds.

SEC. 8. *Be it further enacted*, That the said county is hereby authorized and empowered, by and through its quarterly county court, to secure said notes when issued, by mortgage on real estate or other property, and by hypothecating stocks owned by said county. Security.

SEC. 9. *Be it further enacted*, That said notes, when issued, shall be signed by the county judge of said county, and by the chairman of the building committee appointed by the quarterly county court to superintend the erecting of buildings and improvements contemplated in this act, in their official capacities. Notes to be signed.

SEC. 10. *Be it further enacted*, That the notes for the semi-annual interest on the principal debt shall be issued and signed as provided for the principal notes in Section 9. Said principal notes shall be de- Interest notes.

Numbering.

nominated by numbers, commencing with "one," and the interest notes shall have numbers corresponding with the principal notes, and shall, in the face of same, specify when due, and the date of issuance shall correspond with the principal note to which they belong.

Payment, etc.

SEC. 11. *Be it further enacted*, That when said principal and interest notes are due, they shall be presented for payment, be paid, canceled, and preserved as hereinbefore provided with regard to bonds and coupons, the county court shall levy a tax for same, as hereinbefore provided for bonds and coupons; and the provisions of this act, as regards bonds and coupons, shall, in every respect, apply to these notes, except as hereinbefore specified.

SEC. 12. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 18.

AN ACT to amend an act, entitled "An act to amend an act, entitled 'An act to establish taxing districts of the second class, and to provide the means of local government therefor,' passed April 1, 1881."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2 of Chapter 82, of the Acts of 1885, relating to the establishing of taxing districts of the second class, and to provide means of local government therefor, passed March 30, 1885; and approved April 4, 1885, be, and the same is hereby, amended so as to read after the word "district," in the thirty-third line of said section, "for which purpose said commissioners of the taxing district may levy and collect an additional tax to that imposed by

or under the general provisions of the school law, upon all the taxable property, privileges, and polls within the corporate limits of said taxing district; *Provided*, That the special tax levied under and by virtue of this act, by said commissioners, and the municipal taxes, for municipal purposes, shall, in no case, exceed the amount of one dollar on the hundred dollars."

SEC. 2. *Be it further enacted*, That all acts and parts of acts in conflict with this act be, and the same are hereby, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 19.

AN ACT to repeal an act, entitled "An act to change the line between Hardin and McNairy Counties," being Chapter 61 of Acts of 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 61 of the Acts of 1889, changing the line between Hardin and McNairy Counties, be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That this act take effect on and after its passage, the public welfare requiring it.

Passed March 18, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 20.

AN ACT to change the line between DeKalb and Smith Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between DeKalb and Smith Counties be so changed as to include the lands of H. S. Gill, be detached from Smith County and attach the same to DeKalb County. Said land bounded as follows: North by Robinson and Warford, south by DeKalb County line, east by Caney Fork River, west by John Williams.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 21.

AN ACT to authorize the public school directors of the Alamo school-district, in Crockett County, to sell a lot deeded to the school directors of said district, for the purpose of re-investing in other property for said school.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the school directors of Alamo school-district, to wit: P. B. Nance, W. W. Johnson, and J. B. Humphreys, or their successors, be, and they are hereby, authorized and empowered to sell and convey a certain lot conveyed to the school-district, by deed executed by E. T. Austin, on the — day of —, 18—, and bounded on the east by Bell street, on the south by Vine street, on the west by Johnson, and on the north by Austin. They are em-



powered to sell the same for the purpose of re-investing in other property for the said school-district.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 22.

AN ACT to change the line between the counties of Crockett and Dyer.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Crockett and Dyer be, and the same is, so changed as to include all the land of J. W. Clark's heirs in Dyer County, detaching the same from Crockett County, making the new line to run as follows, to wit: Beginning at the south-west corner of Ben Bell's tract of land, in the Crockett County line, runs south between A. E. Taylor and H. Stallings on the east, and J. W. Clark's heirs' land on the west, to the south-east corner of the said Clark's heirs' land; thence west with the south boundary line of J. W. Clark's heirs to their south-west corner; thence north with said Clark's heirs' line to the Crockett line.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 23.

AN ACT to amend an act passed March 28, 1887, and approved March 29, 1887, entitled "An act to incorporate the town of Newbern, in the county of Dyer, and provide for the election of officers and prescribe their duties "

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the board of mayor and aldermen shall, at their first meeting after their election, or as soon thereafter as practicable, elect a recorder, a treasurer, and a city marshal, the recorder and treasurer and marshal to be selected from parties not members of said board of mayor and aldermen, and one person may be elected to fill the office of both recorder and treasurer, but he shall give both a recorder's and treasurer's bond. Said board may also elect at any time such other officers and agents or servants as he may deem necessary, and provide by ordinance, and shall have the power to prescribe their duties and regulate the performance thereof. The salary of recorder, treasurer, marshal, and other said agents and servants shall be fixed by the board before their election or appointment, and the board shall have power to dismiss any one, or all of them, from office or service for any neglect of duty, or any other cause, two-thirds of the board concurring in said dismissal.

SEC. 2. *Be it further enacted*, That so much of the act passed March 28, 1887, and approved March 29, 1887, entitled "An act to incorporate the town of Newbern, in the county of Dyer, and provide for the election of officers and prescribe their duties," in conflict with the first section of this act, be, and the same is hereby, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE.  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY, .  
*Governor.*

## CHAPTER 24.

AN ACT to extend the limits of the corporation of the town of Newport, Cocke County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporate limits of the town of Newport, Tennessee, be extended as follows: Beginning at a sycamore on the west bank of Big Pigeon River, just below the railroad bridge, and on the old corporation line; thence east, crossing said river about 20 poles to a sycamore; thence south  $21^{\circ}$  east  $27\frac{1}{10}$  poles to a stake; thence south  $49\frac{1}{2}^{\circ}$  east 7 poles to a stake; thence south  $60^{\circ}$  east  $13\frac{1}{2}$  poles to a stake; thence south 68 degrees east 8 poles to a stake; thence south 76 degrees east 48 poles to a stake; thence south 78 degrees west  $53\frac{1}{10}$  poles to a stake; thence south  $31\frac{1}{2}^{\circ}$  west  $85\frac{1}{2}$  poles to a stake; thence south  $12\frac{3}{4}^{\circ}$  west 38 poles to a stake; thence south  $5\frac{1}{4}^{\circ}$  west 75 poles to a stake; thence north  $79\frac{1}{4}^{\circ}$  west  $57\frac{1}{2}$  poles to a maple—C. R. Clerenger's corner; same course continued, crossing said river; thence down the meanders of said river to the old corporation line, opposite the end of the lane dividing the farms of J. K. Garroll and J. C. Morell.

SEC. 2. *Be it further enacted*, That all laws and parts of laws coming in conflict with this act, be, and the same are hereby, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 25.

AN ACT to amend an act of the General Assembly of the State of Tennessee, chartering the town of Newport, Cocke County, Tennessee, passed January 27, 1891, approved January 31, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2 of Chapter 27 of the Acts of the General Assembly of the State of Tennessee, passed January 27, 1891, approved January 31, 1891, incorporating the town of Newport, be amended by striking out of said Section 2, between the word "alleys" in the sixtieth line and the word "allies" in the twelfth line, the following: "With the consent of the proprietors of the lots and houses adjoining such streets, lanes, or alleys."

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 26.

AN ACT to abolish Chapter 119, of the Acts of 1891, entitled "An act to incorporate the town of Flintville, in the county of Lincoln, and State of Tennessee," passed March 21, 1891, and approved March 25, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 119, of the Acts of 1891, entitled "An act to incorporate the town of Flintville, in the county of Lincoln, and State of

Tennessee," passed March 21, 1891, and approved March 25, 1891, be, and the same is hereby, abolished.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 27.

AN ACT to change the line between the counties of Maury and Williamson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Maury and Williamson be so changed as to put the lands of Mrs. J. H. Wallace and J. T. Waddy, about thirty-five (35) acres, now in the county of Maury, into the county of Williamson, making the line run as follows, to wit: Beginning at the south-east corner of Crutcher's land, thence running west between Crutcher and Glenn, crossing the Franklin and Lewisburg pike to Ware's south-east corner, thence north to within one hundred and fifty (150) yards of county line, thence west parallel with former line to Rutherford Creek, thence north to the county line, making the creek line.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 28.

AN ACT to change the line between Bedford and Rutherford Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between Bedford and Rutherford Counties, near the village of Beech Grove, Coffee County, be changed so that after it reaches the north-west corner of W. H. Stephenson's tract of land, going in a south-easterly direction, it be turned east about 120 poles, along W. H. and J. L. Stephenson's north boundary line, to the Manchester and Murfreesboro Turnpike, at the point where the Coffee County and Rutherford County line intersects said pike, so as to include all of the lands of W. H. and J. L. Stephenson and a lot on which stands a Baptist church-house, in Bedford County.

SEC. 2. *Be it further enacted,* That this act take effect from and after the date of its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 29.

AN ACT to amend the charter and to extend the boundaries of the town of Mason, and to amend Section 40 of Chapter 60 of the private Acts of 1868-9, being an act passed on the 26th day of February, 1869, and entitled "An act to incorporate the Lebanon Woolen Mills, and for other purposes," and fixing the boundaries of said town of Mason; and further, to amend Section 1 of Chapter 119 of the private Acts of 1875, being an act passed on the 24th day of March, 1875, and entitled "An act to amend the charter of said town of Mason, and to extend the boundaries of said town of Mason," fixing the boundaries of said town of Mason.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Section 40 of Chapter 60

of the private Acts of 1868-9, passed on the 26th day of February, 1869, and also Section 1 of Chapter 119 of the private Acts of 1875, passed on the 24th day of March, 1875, fixing the boundaries of the town of Mason, be so amended as to read as follows: Beginning at the south-east corner of Magnolia Cemetery, thence west  $26^{\circ}$  south 24 poles to the south-west corner thereof; thence south 250 poles to a stake on the south side of the Memphis and Brownsville Road; thence  $6^{\circ} 3'$  north 81 poles and 4 links to a black gum on south side of road; thence east  $5^{\circ}$  north 144 poles and 25 links to a stake on west side of Fayette County road; thence north  $36^{\circ}$  east 22 poles and 19 links to a stake on bank of slough; thence north  $31\frac{1}{2}^{\circ}$  west 80 poles and 16 links to a willow oak on Keeling road; thence north  $43^{\circ}$  west 220 poles and 14 links to a stake 3 links west of the north-west corner of Mrs. L. H. Broadnax's garden; thence west 34 poles and 5 links to the beginning.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 30.

**AN ACT** to change the line between the counties of Hardeman and Chester.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Hardeman and Chester be so changed as to include within Hardeman County all the land of Albert T. McNeal lying in that part of what was formerly the sixteenth civil district of Hardeman County, which was cut off and included in the or-

ganization of Chester County. Said lands are described as follows, to wit: The 495-acre tract is bounded on the north by the lands of Parlow, on the east by the lands of Lowry, on the south by the lands of White, on the west by the lands of Freeman. The 173-acre tract is bounded on the north by the lands of Glidwell, on the east by the lands of Barnes, on the south by the lands of Hawkins, and on the west by the lands of Collins.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 31.

AN ACT to protect game in Washington and Carter Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be, and is hereby declared, unlawful for any person to hunt, kill, net, trap, or capture quail or partridges in the counties of Washington and Carter at any season of the year for the period of five years from the passage of this act.

SEC. 2. *Be it further enacted*, That any person violating the provisions of this act, upon conviction, shall be fined for the first offense not less than five dollars and not more than twenty-five dollars, and, for each subsequent offense, not less than twenty-five dollars nor more than fifty dollars, and imprisonment, at the discretion of the court, not exceeding three months.

SEC. 3. *Be it further enacted*, That grand juries shall have inquisitorial powers of all violations of this act, and the circuit and criminal judges shall give the same in charge to the grand juries.



SEC. 4. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 32.

AN ACT to repeal so much of Section 2, of Chapter 36, of the acts of 1836, being an act, entitled "An act to incorporate the inhabitants of the town of Livingston, in the county of Overton, and for other purposes," as provides for the incorporation of the town of Jamestown.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of Section 2 of Chapter 36, of the acts of 1836, being an act, entitled "An act to incorporate the inhabitants of the town of Livingston, in the county of Overton," as incorporates the town of Jamestown, be, and the same is hereby, repealed, and the charter of said town abrogated.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 33.

AN ACT to repeal the charter of the town of Tazewell, in the county of Claiborne, State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of Tazewell, in the county of Claiborne, State of Tennessee, be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 34.

AN ACT to repeal the charter of the town of Cowan City, Claiborne County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the incorporated town of Cowan City, in Claiborne County, Tennessee, be, and the same is hereby, abolished, and the charter privileges of said town as a municipal corporation are hereby revoked, and the said charter rendered null and void.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 35.

AN ACT to prohibit the catching of fish with a seine in the Watauga River and its tributaries for a period of five years, within Carter County, and to prescribe a penalty for the violation of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person to catch fish with a seine in the waters of Watauga and its tributaries, within the boundaries of Carter County, for a period of five years from the date when this act shall take effect.

SEC. 2. *Be it further enacted*, That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined and imprisoned at the discretion of the court, and the grand jury of said county is hereby given inquisitorial power of said offense.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 36.

AN ACT to amend Section 1470 of Milliken & Vertrees' compilation of the laws of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the latter clause of Section 1470 of Milliken & Vertrees' Code of Tennessee, which reads as follows, to wit: "And this fact shall constitute a good defense to an indictment for failure to repair as required by law," be amended so as to read as follows, to wit: "But this fact shall con-

stitute no defense to an indictment or presentment for failure to repair as required by law.”

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 37.

AN ACT to change the corporation line of the city of Nashville,  
Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporation line of Nashville, Tenn., be extended as follows: Beginning at Fourteenth Street and Lindsley Avenue, and then running across said Lindsley Avenue north to the line of Andrew Allison's land; thence westwardly with Allison's line to the Gallatin, Tennessee, pike; it being the intention of this bill to include said Lindsley Avenue in the corporation of Nashville, Tenn., from Fourteenth Street to the Gallatin pike.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare demanding it.

Passed March 22, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 27, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 38.

AN ACT to extend the corporate limits of the city of Trenton, and to amend the act reducing the acts incorporating the town of Trenton, and the various amendments thereto, to one act, passed March 31, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act reducing the acts incorporating the town of Trenton, and the various amendments thereto, to one act, and to amend the same, passed March 31, 1881, be, and the same is hereby, so amended as to extend the corporate limits of the city of Trenton on its western boundary, and to embrace within the corporate limits the territory within the following lines: Beginning on the west side of the Mobile and Ohio Railroad bed at a point where a line drawn along the south side of the Taylor-Ramsey Milling Co.'s mill, extended, would intersect the present western boundary of the city; thence westwardly to the north-east corner of the property of the Trenton Cotton-seed Oil Mills; thence along the eastern boundary of the property of said oil mills to a point opposite the south-east corner of the present inclosure of said oil mills property, and near the large oil tank; thence west to the south-east corner of the present inclosure of said oil mills property; thence south to the south line of the property of the said Trenton Cotton-seed Oil Mills property, thence east to the west side of the Mobile and Ohio Railroad bed, on the present west boundary line of the city of Trenton.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 27, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 39.

AN ACT to establish a state board of pharmacy, and to regulate the practice of pharmacy, the sale of poisons, and to prohibit the adulteration of drugs in the state of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act, it shall be unlawful for any person not a registered pharmacist, within the meaning of this act, to open or conduct any pharmacy or retail drug or chemical store as proprietor thereof, unless he shall have in his employ and place in charge of such pharmacy or retail drug or chemical store a registered pharmacist, within the meaning of this act, who shall have the supervision and management of that part of the business requiring pharmaceutical skill and knowledge; or to engage in the occupation of compounding or dispensing medicines, or prescriptions of physicians, or of selling at retail for medical purposes any drugs, chemicals, poisons, or pharmaceutical preparation within this state, until he has complied with the provisions of this act; *Provided*, That nothing in this section shall apply to or in any manner interfere with the business of any physician, or prevent him supplying to his patients such articles as may seem to him proper; or with the making of patent or proprietary medicines; or with the selling, by any store, of copperas, camphor, borax, blue vitriol, saltpeter, sulphur, brimstone, licorice, sage, quinine, juniper berries, senna leaves, castor-oil, spirits of turpentine, sweet-oil, glycerine, Glauber's salts, Epsom salts, cream of tarter, bicarbornate of sodium, and of paregoric, essence of peppermint, essence of cinnamon, essence of ginger, hive sirup, sirup of ipecac, tincture of arnica, sirup of tolu, sirup of squills, spirits of camphor, number six, sweet spirits of nitre, compound cathartic pills, and other similar preparations, when compounded by a regular pharmacist or wholesale druggist, and put up in bottles and boxes bearing the label of such pharmacist or wholesale druggist, with name of the article and direction for its use on each bottle or box, or with the exclusively wholesale business of any dealer.

Only registered pharmacist to sell drugs.

Exceptions.

SEC. 2. *Be it further enacted,* That the executive committee of the Tennessee State Druggists' Association shall immediately, upon the passage of this act, submit to the governor the names of ten persons, residents of this state, who have had at least ten years' experience as pharmacists and druggists; and from the names so submitted to him, the governor may select and appoint five persons, who shall constitute a board, to be styled the Tennessee Board of Pharmacy; and any member of the board may be removed by the governor for good cause shown him. One member of said board shall be appointed and hold his office one year, one for two years, one for three years, one for four years, and one for five years, and until their successors shall be appointed and qualified; and at its regular annual meeting in each and every year thereafter, the said Tennessee State Druggists' Association shall select and submit to the governor the names of five persons, with the qualification hereinbefore mentioned, and the governor shall select and appoint, from the names so submitted or other qualified persons, one member of said board, who shall hold his office for five years, and until his successor shall have been appointed and qualified. Any vacancy that may occur in said board shall be filled, for the unexpired term, by the governor, upon the recommendation of the remaining members of the board. Each member of said board shall, within ten days after his appointment, take and subscribe an oath or affirmation, before a competent officer, to faithfully and impartially perform the duties of his office.

How board appointed.

SEC. 3. *Be it further enacted,* That the Tennessee Board of Pharmacy shall hold one regular meeting, each year, at Nashville, and such additional meetings, at such times and places, as may be determined upon by said board, at each of which meetings it shall transact such business as is required by law. Said board shall make such rules, by-laws, and regulations as may be necessary for the proper discharge of its duties, and shall make a report of proceedings, including an itemized account of all moneys received and expended by said board, pursuant to this act, and a list of the names of all the pharmacists duly registered under this act, to the secretary of state, on or before the fifteenth day of November, 1893, and annually thereafter, and to the Tennessee State Drug-

Powers & duties of board; provisions as to registrations, salaries, fees, etc.

gists' Association. Said board shall keep a book of registration open at some place in Nashville, of which due notice shall be given in three or more newspapers of general circulation in the state, in which the name and place of business of every person duly qualified under this act to conduct or engage in the business mentioned and described in section one, shall be registered. Every person now conducting or engaged in such business in this state, as proprietor or manager of the same, or who, being of the age of twenty-one years, has been employed or engaged for five years preceding the passage of this act, as an assistant in any retail drug store in the United States, in the compounding and dispensing of medicines on the prescriptions of physicians, who shall furnish satisfactory evidence in writing, and under oath, of such facts, within three months after the publication of said notice, shall be registered as a pharmacist, without examination. Every person who has attained the age of eighteen years, and who has been continuously engaged in any drug store in the United States for three years prior to the passage of this act, who shall present satisfactory evidence of the same, within three months after the publication of said notice, shall be registered as an assistant pharmacist without examination. Every person who shall desire hereafter to conduct or engage in such business in this state, shall appear before said board and be registered within ten days after receiving a certificate of competency and qualification of said board. The said board shall demand and receive from each person registered as a pharmacist a fee of not exceeding two dollars, and for a certificate as assistant pharmacist, a fee of not exceeding one dollar, to be applied to the payment of expenses arising under the provisions of this act. Every registered pharmacist or assistant pharmacist, who desires to continue the practice of his profession, shall annually thereafter, during the time he shall continue in such practice, on such date as said board may determine, pay to the secretary of said board a registration fee, to be fixed by said board, but which shall, in no case, exceed, if a pharmacist, one dollar; if assistant pharmacist, fifty cents, for which he shall receive a renewal of said registration. Every certificate of registration granted under this act shall be conspicuously exposed in the drug or chemical store to which it applies, or in which the assistant



is engaged. The secretary of said board shall receive a salary, which shall be fixed by the board; he shall also receive his traveling and other expenses incurred in the performance of his official duties. The other members of said board shall receive the sum of three dollars for each day actually engaged in the service thereof, and all legitimate and necessary expenses incurred in attending the meetings of said board. Said salary, per diem, and expenses shall be paid after an itemized statement of the same has been rendered and approved by the board, from the fees and penalties received by said board, under the provisions of this act. All moneys received in excess of said per diem allowance and other expenses, above provided for, shall be held by the secretary as a special fund for meeting the expenses of said board, he giving such bond as said board shall from time to time direct.

SEC. 4. *Be it further enacted*, That the Tennessee Board of Pharmacy shall examine every person who shall desire to carry on or engage in the business of a retail apothecary, or of retailing any drugs, medicines, chemicals, poisons, or pharmaceutical preparations, or of compounding or dispensing the prescriptions of physicians, as proprietor or manager, touching his competency and qualification for that purpose, and upon a majority of the board being satisfied of such qualification, and upon the payment by the applicant of an examination fee of five dollars, they shall furnish such person a certificate of his competency and qualification as a pharmacist, which certificate shall entitle the person therein named to carry on the business aforesaid, as proprietor or manager thereof, upon complying with the requirements of Section 3, and such board shall also examine each person who desires to engage in such business as assistant pharmacist touching his competency and qualification, and upon such person passing a satisfactory examination, and upon the payment by the applicant of an examination fee of three dollars, they shall furnish him a certificate setting forth that he is a qualified assistant in pharmacy, which certificate shall enable the person therein named to engage in said business as an assistant pharmacist, upon his complying with Section 3.

Examination;  
certificate; fee.

SEC. 5. *Be it further enacted*, That the provisions of section four shall not apply to any person engaged in the retail drug and apothecary business as proprietor

Exceptions.

or manager of the same at the time of the passage of this act, or who, being of the age of eighteen years, has been continuously employed or engaged, for three years immediately preceding the passage of this act, as an assistant in any retail drug store in the United States in the compounding or dispensing of medicines on the prescriptions of physicians who has complied with the provisions of section three.

SEC. 6. *Be it further enacted*, That no person not a qualified assistant shall be allowed by the proprietor or manager of a retail drug or chemical store to compound or dispense the prescriptions of a physician except as an aid under the supervision of a registered pharmacist or his qualified assistant.

Qualified assistant defined.

SEC. 7. *Be it further enacted*, That a qualified assistant, within the meaning of this act, shall be a clerk or assistant in a retail drug or chemical store, who shall furnish to the Tennessee Board of Pharmacy such evidence of his employment as is required in section 3, or a person holding a certificate of said board as an assistant pharmacist, as provided by section four; but it shall be unlawful for an assistant pharmacist or qualified assistant to supervise or manage any pharmacy or retail drug or chemical store, or to engage in the occupation of compounding or dispensing medicines on the prescriptions of physicians, or of selling at retail, for medical purposes, any drugs, chemicals, poisons, or pharmaceutical preparations, except when engaged or employed in a pharmacy, retail drug or chemical store which is in charge of, and under the supervision and management of, a regular pharmacist.

Penalties.

SEC. 8. *Be it further enacted*, That any person owning a pharmacy, retail drug or chemical store, who, in violation of the provisions of section one of this act, causes or permits the same to be conducted by a person not a registered pharmacist, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than \$20 nor more than \$100, and that each week that he shall cause or permit such pharmacy, retail drug or chemical store to be so conducted or managed shall constitute a separate and distinct offense, and render him subject to a separate prosecution and punishment therefor. A person violating the provisions of section three relat-

ing to registration, or failing to conspicuously expose such certificate of registration, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding \$50 for each and every offense; and for the violation of any of the provisions of section seven, such assistant pharmacist shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding \$50 for each and every offense. All fines assessed for the violation of any of the provisions of this act shall be placed in the hands of the secretary of the Board of Pharmacy to meet the necessary and legitimate expenses of the Tennessee Board of Pharmacy; *Provided*, That nothing in this act shall be so construed as to in any way affect the rights of any person to bring a civil action against any person referred to in this act, or for any act or acts for which a civil action may now be brought. It shall be the duty of the Tennessee Board of Pharmacy, upon application being made to said board, to cause the prosecution of any person or persons violating any of the provisions of this act.

Disposition of  
fines.

SEC. 9. *Be it further enacted*, That it shall be unlawful for any pharmacist, assistant pharmacist, or proprietor of a retail drug or chemical store to fraudulently adulterate any drug, chemical, or medicine he may sell or dispense; and should he knowingly, intentionally, or fraudulently adulterate, or cause to be adulterated, such drugs, chemicals, or medicinal preparations, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be liable to a penalty not to exceed \$100; and, in addition thereto, his name shall be stricken from the register.

Fraudulent  
adulteration—  
penalty for.

SEC. 10. *Be it further enacted*, That this act shall not apply to physicians putting up their own prescriptions.

SEC. 11. *Be it further enacted*, That the provisions of this act shall only apply to cities and towns having more than 3,200 inhabitants, the populations always to be computed by reference to the last federal census.

SEC. 12. *Be it further enacted*, That all acts and parts of acts in conflict with this act are hereby repealed.

SEC. 13. *Be it further enacted*, That this act shall

take effect from and after the date of its passage, the public welfare requiring it.

Passed March 13, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 27, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 40.

AN ACT to create a board of public works for the town of Newport for the purpose of improving streets, sidewalks, canals, public school-buildings, and such other improvements as may be deemed necessary, and to enable said board of public works to carry out the provisions of this act, and to authorize the mayor and aldermen to issue thirty thousand dollars in bonds for said purpose, and provide for a sinking fund.

Bonds—provisions as to issuance.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the mayor and aldermen of the town of Newport be, and are hereby, vested with full power to issue bonds of said town, to be known as improvement bonds, in an amount not to exceed thirty thousand dollars, to be issued for the construction and improvement of streets, sidewalks, canals, public school-buildings, and such other public improvements as may be deemed necessary within the limits of said corporation; Provided, That the mayor of the town of Newport shall cause an election to be held to decide the question of the issuance of bonds. Those voting for the issuance of bonds shall have written or printed on their ballots the words: "For the issuance of improvement bonds;" and those opposed to the issuance of said bonds shall have written or printed on their ballots: "Against the issuance of improvement bonds." If, at an election held under*

the provisions of this act, three-fourths or more of all the votes cast are in favor of the issuance of said improvement bonds, then, and in that case, the said mayor and aldermen shall issue the amount of bonds authorized by said election; *Provided further*, That said bonds shall not be negotiated or hypothecated at less valuation than one hundred cents to the dollar, and said bonds shall not bear a greater rate of interest than six per cent. per annum, payable semi-annually. Said improvement bonds shall run twenty years, being due and payable in 1913, and shall be of the denomination of five hundred dollars each, and shall have printed on the back of said bonds this act, together with the ordinance of the mayor and aldermen of Newport creating and defining the duties of the board of public works; and each bond shall bear a coupon for each semi-annual installment of interest due on said bond, and all of said bonds and coupons shall be signed by the mayor, with his own proper signature, and shall be sealed with the seal of the corporation, and attested by the signature of the town recorder. Each bond and coupon shall be numbered *seriatim*, from one to the highest number to be issued inclusive, and shall be of the denomination of five hundred dollars each. All of said bonds shall be registered in a well-bound book to be kept for that purpose; *Provided*, That before said bonds shall issue the question shall be submitted to a vote of the qualified voters of said town. Unless the same be voted by three-fourths of the voters voting in the election, the said bonds shall not issue. For the purpose of determining said fact, the mayor and aldermen aforesaid shall call a special election, on giving twenty days' notice.

SEC. 2. *Be it further enacted*, That there shall be a Board of public board of public works to carry out the provisions of this act, consisting of three freeholders of said town, who shall be elected at a special election, to be ordered by the mayor and aldermen as soon as possible after the passage of this act, and before it is submitted to a vote of the people for ratification; all to be elected for a term of three years. Whenever a vacancy or vacancies occur in said board of public works, a person or persons shall be elected by the mayor and aldermen to serve until the next municipal election, when a person or persons shall be elected to fill the

unexpired term or terms; *Provided*, That each of said members shall enter into bond in the sum of five thousand dollars, conditioned to discharge the duties of the office faithfully.

Improvements  
authorized.

SEC. 3. *Be it further enacted*, That said board of public works shall be authorized to improve streets and sidewalks, and to build canals, and public school-houses and buildings, and to make such other public improvements as may be deemed necessary within the limits of said corporation, from the proceeds of said improvement bonds.

Commissioners  
of sinking fund.

SEC. 4. *Be it further enacted*, That there shall be a board of sinking fund commissioners elected by the mayor and aldermen of Newport, and that the said mayor and aldermen shall each year levy a tax to pay the interest on said improvement bonds as the same shall become due; also provide the necessary sinking fund to enable said improvement bonds to be paid and redeemed on or before maturity.

Vote—who may  
in election on  
issuance of  
bonds.

SEC. 5. *Be it further enacted*, That at the election, in this act provided to be held upon the question of issuance of the bonds, and the election of board of public works, all persons shall be entitled to vote who are legally authorized to vote in said town for members of the general assembly, and at State and county elections. And all those persons who are owners of a freehold in said town, whether they are residents or not, may vote in said election.

Board to control  
improvements.

SEC. 6. *Be it further enacted*, That the board of public works created in the foregoing section shall have entire supervision and control over the improvement of streets and sidewalks, of the building canals and school-buildings, and such other improvements as may be necessary within the limits of said corporation, and shall control the expenditure of all funds for such purposes arising from taxation or otherwise.

Second election  
may be ordered,  
when.

SEC. 7. *Be it further enacted*, That if said proposition to issue bonds should fail to carry at first election, that, after the expiration of six months, and upon the petition of ten freeholders of said corporation, the board of mayor and aldermen may order a second election under the provisions of this act.

SEC. 8. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed.

SEC. 9. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 27, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 41.

AN ACT to amend an act, entitled "An act to protect real estate owners whose lands are damaged by changing, repairing, improving, or working in or on any highway or townway in any town or city in the State of Tennessee," passed January 31, 1891, approved February 16, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section two of the above entitled act be so amended as to read as follows:

SEC. 2. *Be it further enacted*, That all benefits accruing by reason of such improvements, acts, or works, shall be allowed to affect, reduce, and offset the damages hereinbefore provided for.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 27, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 42.

AN ACT to amend an act, entitled "An act to enable the town of Humboldt, Tenn., to issue bonds for the purpose of building a court-house and paving and grading the streets of said town," passed March 26, 1891, and approved March 28, 1891."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That, in addition to the authority and power conferred on the said town of Humboldt, in Gibson County, Tennessee, by said act referred to in the caption hereto, the said mayor and aldermen of said town are hereby authorized and empowered, in their corporate capacity, to issue interest-bearing bonds of said town, to be signed by the mayor of said town, to an amount not to exceed five thousand dollars, to be used for the purpose of buying and securing real estate, and permanent improvements thereof, for the public school or schools of said town, and for the schools authorized by law to be conducted in said town; and to issue interest-bearing bonds of said town, to be signed by the mayor of said town, to an amount not to exceed five thousand dollars, to be used for the purpose of grading the streets and laying pavements and providing lights for said town; *Provided*, That the bonds issued under said act and this amendatory act shall not exceed, in all, two per cent. on the assessed value of the whole property of said town.

SEC. 2. *Be it further enacted*, That whenever bonds under said act, or this amendment thereto, shall be issued to an amount within two per cent. of the assessed property, as aforesaid, then no other bond or bonds for any purpose shall be issued by said town.

SEC. 3. *Be it further enacted*, That no bonds shall be issued by said town under this amendatory act until after an election is held on order of the board of mayor and aldermen, and after a majority of the qualified voters, to be ascertained by the number cast at the preceding election for mayor, so direct at such an election, at which election only *bona fide* citizens who are qualified to vote in county elections, and who have resided in said town for thirty days preceding such election, shall vote; and that when a ma-



majority of the voters of said town as aforesaid shall have ordered the issuance of such bonds, they shall issue for the purpose voted, in denominations of from one hundred to one thousand dollars, as the board of mayor and aldermen may direct, and run for a period of from ten to twenty-five years, as directed in the ordinance submitting the proposition to a vote, and shall bear interest not to exceed six per cent. per annum, payable annually or semi-annually; *Provided*, That said town shall reserve the right in the face of each bond issued under this amendatory act, to pay the same after five years from the date of its issuance, and at any time from the expiration of said five years until the same matures.

SEC. 4. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 29, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 43.

AN ACT to prevent the erection of fish-traps and fish-dams across the running streams in the counties of Gibson, Obion, Weakley, Carroll, and Montgomery.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person to place or keep any fish-trap or fish-dam across any running stream in the counties of Gibson, Obion, Weakley, Carroll, or Montgomery, thereby preventing the free passage of fish up or down stream.

SEC. 2. *Be it further enacted*, That any person violating the first section of this act shall be guilty of a misdemeanor, and, upon conviction before any court having jurisdiction, shall be fined not less than

twenty-five nor more than fifty dollars for every offense.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 29, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 44.

AN ACT to change the line between the counties of Hardeman and McNairy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Hardeman and McNairy be, and the same is hereby, so changed as to include all the lands of C. H. Joyner in the county of Hardeman. Said land is bounded as follows, to wit: On the north by the lands of J. B. Warren and C. E. Williams; on the east by the lands of Thomas Shea and P. J. Mohundro; on the south by the lands of Thomas Shea; on the west by the lands of Bond, Wood, and McNeal.

SEC. 2. *Be it further enacted*, That this act shall take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 29, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 45.

AN ACT to amend Section 3 of Chapter 71 of the Acts of 1870 and 1871, passed January 31, 1871, approved February 1, 1871, relative to exemption laws.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 3 of Chapter 71 of the Acts of 1870 and 1871 be so amended as to read after the word "hogs," in the sixth line of said section, as follows: "and one farm bell."

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 29, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 46.

AN ACT to incorporate the town of White Pine, in the county of Jefferson and State of Tennessee, and provide for the election of officers, and prescribe their duties, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of* <sup>Incorporation.</sup> *the State of Tennessee*, That the town of White Pine, in the county of Jefferson, and the inhabitants thereof, be, and they are hereby, constituted a body-politic and corporate under and by the name of the mayor and aldermen of the town of White Pine; may sue and be sued, grant, receive, purchase, and hold real, mixed, and personal property, or dispose of the same for the benefit of said town.

SEC. 2. *Be it further enacted*, That the corporate limits of said town of White Pine shall be as follows, <sup>Boundary.</sup> viz.: Beginning on the south bank of Long Creek, at a place known as the "crossing place of James

Mayers;" thence in a south-east direction, so as to include the college and the college grounds, to the road leading from White Pine to Leper's mill; thence with said road east so as to include the lands of John Lister; thence south to the house of Jerry Flax, now occupied by Philip Easterly; thence a south-west direction crossing East Tennessee, Virginia & Georgia Railroad below the coal chute, and so as to include the house of Thomas White and outbuildings; thence a straight line to the middle of the road leading from White Pine to Dandridge, so as to include the house of James White; thence a straight line to Long Creek, six hundred feet above the railroad bridge across said Long Creek; thence down said creek to the beginning.

**May enact laws.** SEC. 3. *Be it further enacted,* That the corporation aforesaid shall have full power and authority to enact and pass such laws and by-laws to prevent and remove nuisances; to provide for licensing and regulating auctions; taxing, regulating, or restraining theatrical or other public amusements and shows within the bounds of the corporation; for restraining or prohibiting gambling; to regulate the sale of spirituous liquors; establish night watches and patrols; to ascertain, when necessary, the boundary and location of streets, lanes, and alleys, with the consent of the proprietors of said lots adjoining such streets, lanes, and alleys; to have and keep in repair the streets; to pass all laws necessary for the same; to establish the necessary inspection within the town; to enact and regulate market, drayage, and personal privileges; to provide for the establishment and regulation of a fire company, the sweeping of chimneys, and safe condition of flues; to impose and appropriate fines, penalties, and forfeitures for a breach of the by-laws or ordinances; to appoint a recorder; to levy and collect taxes for the purpose of carrying the necessary measures into operation, for the benefit of said town, and to pass all laws and ordinances necessary and proper to carry the intent and meaning of this act into effect, provided they are not incompatible with the constitution and laws of this state.

**Election of officers.** SEC. 4. *Be it further enacted,* That the sheriff of Jefferson County, after ten days' notice, shall hold an election in the town of White Pine, on the first Thursday in April, 1893, and on the same day of each and every succeeding year, for the purpose of electing five

persons, to serve as aldermen, and one person for mayor, and one other person for town constable, and one other person for county magistrate, for the corporation of said town of White Pine, for one year, except as to magistrate, who shall serve for six years, commencing the first Thursday in April, 1893, the day of their election; and all persons living in the limits of said corporation, who would be qualified to vote for members of the legislature of this state, and persons owning a freehold within the bounds of said corporation, and otherwise entitled to vote, shall be entitled to vote in said election; and no person shall be eligible to the office of mayor, alderman, town constable, or magistrate, unless he be a citizen, or freeholder, or householder in the town of White Pine, and in case of death, removal, or resignation of any one of the officers of said corporation, the mayor and aldermen shall have power to fill such vacancies for the time unexpired, except as to magistrate, who shall be elected by the qualified voters.

Who eligible.

SEC. 5. *Be it further enacted*, That the several persons, so qualified as aforesaid, having the highest number of votes at any election held, shall be declared elected, and the sheriff holding the election as aforesaid, shall, within three days thereafter, give to each of the five aldermen, mayor, constable, and magistrate, a certificate of their election; and it shall be the duty of the persons so elected to meet at some convenient house in the town of White Pine, on the next day after the election, and, after having been qualified, the mayor and aldermen, three of whom shall constitute a quorum, shall proceed to elect a recorder for said corporation for the same time for which the mayor and aldermen were elected as aforesaid, and the person elected by them shall serve until the first Thursday in April succeeding, or until his successor is elected and qualified.

Certificate of election.

Recorder.

SEC. 6. *Be it further enacted*, That the mayor and aldermen of said town shall, before entering upon the duties of their office, take an oath before some justice of the peace of Jefferson County, to faithfully, uprightly, and honestly demean themselves as mayor and aldermen of said corporation during their continuance in office.

Oath.

SEC. 7. *Be it further enacted*, That the constable so elected shall continue in office twelve months from the time of his election, and, before entering upon the

Constable.

duties of his office, give bond and sufficient security, in the sum of five hundred dollars, to be approved by the county court, for the faithful discharge of the duties of his office, and account for all money or moneys by him collected, and corporation taxes.

Judges of election.

SEC. 8. *Be it further enacted*, That the sheriff of Jefferson County shall, previous to holding an election for mayor and aldermen, constable and magistrate for said corporation, as provided for in Section 4 of this act, appoint three respectable citizens in the town of White Pine, who shall act as judges of said election, one of whom shall act as clerk.

Failure to hold election.

SEC. 9. *Be it further enacted*, That if, for any reason, the sheriff shall fail to hold an election for mayor and aldermen, constable and magistrate, on the first Thursday in April in each year, he may, at any time thereafter, open and hold an election for the aforesaid offices by first giving ten days' notice of said election, for the balance of the unexpired time.

Finances -- provisions regarding.

SEC. 10. *Be it further enacted*, That the constable shall pay over monthly to the recorder all sums of money collected by him for said corporation, and the recorder shall render, semi-annually on the first Thursday in August and the first Thursday in February of each year, and as much oftener as the board of mayor and aldermen shall require, a full and complete statement of the finances under his control, and the recorder shall exhibit to the board a complete statement of the finances of said corporation, and he shall also, within thirty days from the time of assessing the taxes of said corporation, deliver to the town constable, for collection, the taxes therein specified, and the recorder shall preserve a copy of said tax-list with the papers of the corporation. No money shall be paid out, except by the order of the mayor, made in pursuance of the direction of the board of aldermen. At the expiration of his term of office, the recorder shall deliver to his successor all books and papers belonging to the corporation, and take his receipt for the same, and make a final settlement with the board of mayor and aldermen.

Recorder shall deliver books to successor.

Mayor -- duties.

SEC. 11. *Be it further enacted*, That it shall be the duty of the mayor to preside at all meetings of the council; to take care that all the ordinances and by-laws of the town are duly and properly enforced, respected, and observed within the town; to take an oath of office before he enters upon the duties of the

same; and call special meetings of the board of mayor and aldermen whenever he may deem it expedient; to make such suggestions and give instructions in reference to the actions of said board as, in his judgment, will be most conducive to the interest of the corporation; to give orders upon the recorder of said board, whenever said board shall direct the same to be done, for the payment of any money that may be due from said corporation; to employ counsel in behalf of said corporation in any case in which said corporation may be interested when, in his judgment, the same may be necessary.

SEC. 12. *Be it further enacted*, That said board of mayor and aldermen shall have power to elect a recorder for said corporation, who shall not be a member of said board of mayor and aldermen; and he shall hold his office for a term of one year, or until his successor is elected and qualified.

Recorder—election and term.

SEC. 13. *Be it further enacted*, That in addition to the duties already imposed upon the recorder by this act, he shall be invested with the full power and authority to try all offenses for violation of the ordinances and by-laws of said corporation; and said recorder of the town of White Pine be, and is hereby, invested with concurrent jurisdiction with justices of the peace in all cases of violations of the criminal laws of the state, or of the ordinances or by-laws of the board of mayor and aldermen of the town of White Pine, within the corporate limits of said town, and be entitled to the same fees now allowed to justices of the peace for like services; and said recorder shall have power to issue executions on his judgments in the same manner as justices of the peace are authorized by law to issue executions on judgments rendered by them.

Jurisdiction and duties of recorder.

SEC. 14. *Be it further enacted*, That the board of mayor and aldermen of said corporation shall have full power and authority to erect a work-house and lock-up, or calaboose, for the safe-keeping of persons; and when any person or persons, convicted of any violation of any by-laws or ordinances of said corporation, fails or refuses to pay, or secure to be paid, the fine and costs accruing thereon, the mayor and aldermen may provide by ordinance for their confinement in said lock-up, or work-house, or calaboose, and put them to work for the town, either within an inclosure or on the streets and other public works,

Work-house, fines, etc.

under proper guard, or secured by ball and chain, at such wages as the board may adopt, or a no less sum than forty cents per day until said fine and cost be paid.

Peace-officers  
may be appointed—duties.

SEC. 15. *Be it further enacted*, That the mayor and board of aldermen shall have full power and authority to appoint a marshal, and as many policemen as in their judgment they may deem necessary, at any time, to preserve the peace and quiet of the town, or to enforce the ordinances of said corporation, to fix their term of office, and regulate the salary of the same; *Provided*, Said fees shall not be over one dollar per day. Said watchman or police, so appointed, shall have power to execute all processes that the town marshal or constable is authorized to execute.

Bond of recorder  
and marshal.

SEC. 16. *Be it further enacted*, That before entering upon their respective duties the recorder and marshal, so elected or appointed by the board of mayor and aldermen, shall each give bond, with sufficient security, to said mayor and aldermen, in the sum of five hundred dollars, conditional that they shall faithfully and honestly discharge their duties and account for all money that may come into their hands by virtue of their office.

Removal of officers—cause.

SEC. 17. *Be it further enacted*, That the board of mayor and aldermen shall have full power and authority to dismiss and remove any officer or agent appointed or elected by them, including the office of recorder or marshal, for incompetency or any violation, neglect, or disregard of the duties imposed upon them by the laws and ordinances of said corporation; *Provided*, That two-thirds of the board of mayor and aldermen concur in the dismissal or removal.

Streets, pavements, etc.

SEC. 18. *Be it further enacted*, That the board of mayor and aldermen of the town of White Pine shall have full power and authority to lay off and open new streets, lanes, and alleys in said town, and extend the old ones, for the convenience of the inhabitants thereof, in the manner and mode prescribed by Sections 1388, 1389, 1390, and 1391 of the Code of Tennessee, and may, by ordinance or otherwise, require owners of business houses to place good, substantial pavements in front of their houses.

SEC. 19. *Be it further enacted*, That the mayor and aldermen of the town of White Pine shall have power and authority, by ordinance, within the town, to provide for the arrest, and confinement until trial, of all



riotous and disorderly persons found violating any ordinance of the town, or in violation of the act passed by the legislature March 22, 1875, Chapter 105, Section 2. <sup>Disorderly persons.</sup>

SEC. 20. *Be it further enacted*, That no person elected to the office of alderman shall be allowed any pay for his services as such alderman. The mayor and recorder shall receive such salary as the board of aldermen may allow, not to be increased or diminished during their respective terms of office. The marshal shall receive a stated salary per month, to be determined and ordered paid by the board of mayor and aldermen. The fees of the recorder, in addition to the fees allowed by law for the trial of offenses for the violation of the ordinances and by-laws of the corporation and the fees allowed by law for the trial of state offenses, shall be determined by ordinance, passed by the board of mayor and aldermen. <sup>Salaries & fees.</sup>

SEC. 21. *Be it further enacted*, That the marshal elected or appointed by the board of mayor and aldermen shall have charge of work-hands on the streets, keep their time, and see that they do good work.

SEC. 22. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 29, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 47.

AN ACT to change the county line between James and Hamilton Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between James and Hamilton Counties be changed so as to include

in Hamilton County the territory embraced in the following boundary, viz.: Commencing at the mouth of Wolftevar Creek on the east bank of the Tennessee River, and running with said creek east to the fork of said creek at or near the ford on what is known as the River Road; thence east with the slough or south prong of said creek until it connects with the main creek again in Guthrie's farm; thence with the main creek to the center or top of Guthrie's hill, or bluff; thence south with the top or center of said ridge, or chain of ridges, the most direct route to the south-east corner of the D. P. Cardwell farm; thence west with the south line of said farm to the Tyner's Seminary road, near Mrs. Phipps' house; thence south with said road to the Hamilton County line.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1893.

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

WM. C. DISMUKES,

*Speaker of the Senate.*

Approved March 29, 1893.

P. TURNEY,

*Governor.*

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## CHAPTER 48.

AN ACT to amend an act, entitled "An act to create and regulate the office of county judge for Marion County, and to define his duties and jurisdiction," passed by the General Assembly of Tennessee March 27, 1891, and approved by the governor March 30, 1891, so as to change time of holding quarterly court from the first Monday in August to the first Monday in July.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 14 of Chapter 199 of the Acts of 1891 be, and the same is hereby, amended so as to read as follows, to wit: "That the county court, composed of the justices of the peace of said county, shall meet on the first Mondays in January and July of each year instead of January and August, as now provided."

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 29, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 49.

AN ACT to create and regulate the office of county judge of DeKalb County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there shall be elected by the qualified voters of DeKalb County, at the regular election for county officers, on the first Thursday in August, 1894, and every eight years thereafter, a county judge, who shall be a man of good moral character, learned in the law, thirty years of age, and a citizen of said county.

SEC. 2. *Be it further enacted*, That the county judge of DeKalb County shall have and exercise all the rights, privileges, and jurisdiction now conferred by law on the chairman of the county court of DeKalb County, and by existing laws upon county judges in the state, and shall be subjected to all the restrictions and comply with all the requirements of all laws applicable to such chairmen or county judges, and shall perform all the duties imposed by law upon county judges; and in case of sickness, incompetency of the county judge elected or appointed under this act, a special judge of the county court may be elected, as other special judges are now elected by law.

SEC. 3. *Be it further enacted*, That the office of chairman of the county court of DeKalb County is hereby abolished.

SEC. 4. *Be it further enacted*, That the governor shall appoint a county judge under this act, who shall hold

said office until his successor is elected and qualified under Section 1 of this act, and shall fill vacancies occurring at any time in said office as provided by law ; but the term of office of the county judge, as herein provided, shall begin the first Monday in January, 1894.

SEC. 5. *Be it further enacted*, That said county judge shall have power to adjourn the county court of said county from day to day, or from time to time, as the public business may demand; *Provided*, That final adjournment shall always occur before the succeeding term.

SEC. 6. *Be it further enacted*, That the county judge of DeKalb County shall receive a salary of \$350 annually for his services, to be paid quarterly, on his warrant, out of the revenue of the county.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 29, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 50.

AN ACT to authorize the mayor and aldermen of the town of Dayton, Rhea County, to borrow the sum of twenty thousand dollars, or such part thereof as they may find necessary, for the purpose of erecting and furnishing school-buildings, or to purchase land for school purposes, and to issue interest-bearing, negotiable bonds for said amount, and to levy and collect taxes for the payment of the same.

To borrow money and issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and aldermen of the town of Dayton, Rhea County, be, and they are hereby, authorized and empowered to borrow the sum of twenty thousand dollars, or such part thereof as they shall find necessary, for the purpose of erecting and furnishing buildings in said town to be used as school-buildings, or the purchase of land for school purposes; and, to this end, the mayor and aldermen of the town of Dayton are hereby authorized and

empowered to issue negotiable, interest-bearing bonds to the amount of twenty thousand dollars, or such part thereof as they shall find necessary, and to negotiate and sell the same for the purpose of raising money to erect, furnish, and equip said school-buildings, or additions to school-buildings, or to purchase lands necessary for the erection of said buildings for the use and benefit of said town. Said bonds shall be signed by the mayor and recorder of said town; and the corporate seal of said town shall be affixed to each before it shall be issued. Said bonds shall be issued in such denominations as the mayor and aldermen shall fix, and shall be payable at the end of ten years, or sooner at the option of the mayor and aldermen, and shall bear interest at six per cent. per annum, payable semi-annually, to be evidenced by coupons attached to each of said bonds; but said bonds shall not be sold or disposed of at less than par value; and the coupons, when due, shall be receivable for all taxes and dues to the corporation, except the school tax or sinking fund tax herein provided for, which shall be paid only in money.

SEC. 2. *Be it further enacted*, That before said bonds shall be issued, the mayor and aldermen shall cause an election to be held in said town to submit the question whether or not they are in favor of issuing said bonds; and at least twenty days' notice shall be given of the time, place, and purpose of said election; and if two-thirds of the votes cast at said election shall favor the issuing of said bonds, then said mayor and aldermen shall issue them as prescribed in the foregoing section. Those in favor of the issuance of said bonds shall have printed or written on their tickets, "for the bonds," and those opposed, "against the bonds," and said elections may be held at any time; *Provided*, Said elections shall not be held oftener than once in six months. Those entitled to vote at said election shall be those qualified to vote for aldermen at the regular municipal election.

Election on  
question of issuance—provisions.

SEC. 3. *Be it further enacted*, That upon the issuance of said bonds, in conformity with the foregoing section, they shall be a valid and binding debt and obligation of the corporation of Dayton; and the mayor and aldermen of said town are hereby authorized and empowered to collect annually, beginning with the year 1898, while said bonds are outstanding, a special tax not exceeding twenty cents on the hundred dollars

Bonds binding debt; special tax.

assessed value of all taxable property and privileges within the corporate limits of said town, for the purpose of paying the interest on said bonds as it becomes due, and to create a fund with which to pay off and redeem the bonds herein authorized to be issued; the "sinking fund" to be used exclusively for the purposes levied.

Commissioners  
—term, oath,  
duties, etc.

SEC. 4. *Be it further enacted*, That before any of said bonds shall be issued, the mayor and aldermen shall elect a board of three commissioners, to be so elected that one of the said commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve three years. Said commissioners shall, before entering upon the discharge of their duties, take an oath before a qualified officer faithfully to discharge their duties, and shall give bond in such sum, and otherwise qualify themselves, and receive such compensation, as the ordinances of the corporation may direct. Said commissioners shall receive from the collectors of taxes all the "sinking fund tax," and shall invest the same from time to time in the bonds of the corporation herein contemplated, and make settlements of their accounts in such manner and with such persons as the corporation may by ordinance direct; *Provided, however*, That whenever such bonds of the city are purchased or discharged by the commissioners, they shall cancel the same in the presence of the board of mayor and aldermen at some regular meeting thereof, in such manner as may be directed by ordinance.

SEC. 5. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 30, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 51.

AN ACT to create the office of county judge for the county of Sequatchie, and to prescribe his duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there shall be elected by the qualified voters of the county of Sequatchie, a person learned in the law, thirty years of age, to be styled county judge, who shall hold his office for eight years from the date of his commission.

SEC. 2. *Be it further enacted*, That the first election for county judge shall be held at the same place, and in the same manner, and by the same officers that other county election are held, on the first Thursday in August, 1894, and every eight years thereafter, and under the same rules and regulations that are prescribed by law for other county elections.

SEC. 3. *Be it further enacted*, That all jurisdiction and powers of the present county courts over administrators, executors, guardians, wards, trustees, wills, dowers, and petitions for sale or divisions of lands, be, and the same are hereby, given to the county court to be held by the county judge, and all other questions over which the chairman of the county court now has jurisdiction, and all other duties now devolving upon the chairman of said county court, are hereby transferred to county judge.

SEC. 4. *Be it further enacted*, That the county judge shall receive as compensation \$250 per annum, to be paid quarterly from the county treasury, upon the judge's own warrant, countersigned by the county court clerk, and such other compensation as may be allowed him by the county court, composed of the justices on the first Monday in January of each year, as the financial officer of the county, payable in the same way as his salary.

SEC. 5. *Be it further enacted*, That the county court, composed of the justices of the peace of the county, shall meet on the first Mondays in January and July, and that said county judge shall preside over said court, and that they have such jurisdiction as they now have by law, except when conferred by this act on the judge of the county court.

SEC. 6. *Be it further enacted*, That the governor shall appoint a competent person to hold said office of county judge until the first Monday in September, 1894, or until his successor is qualified.

SEC. 7. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 30, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 52.

AN ACT to repeal an act, entitled "An act to establish a special court at Rockwood, Roane County, Tennessee," passed January 23, 1891, and approved January 27, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act of the general assembly of Tennessee of 1891, Chapter 26, entitled "An act to establish a special court at Rockwood, Roane County, Tenn.," passed January 23, 1891, and approved January 27, 1891, be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That all unfinished business in the court at Rockwood be transferred to the court at Kingston, Tenn., in said Roane County, and that all parties or defendants bound to appear at said special court at Rockwood, and whose cases are untried and undisposed of at the April term of said court, in 1893, shall give bond or recognizance for their appearance at the next regular term of the circuit court at Kingston, in said county of Roane, and the judge holding said court is hereby required to take such bonds and recognizance; and, any one failing to appear, when so bound to appear, at said circuit court at Kingston, may be proceeded against by forfeiture, or otherwise, as provided by law in such cases.



SEC. 3. *Be it further enacted*, That the judge and clerk of said special court at Rockwood be, and they are hereby, authorized to transfer all the records of said special court from Rockwood to the court-house at Kingston, and deposit the same with the clerk of said circuit court of Roane County for safe-keeping.

SEC. 4. *Be it further enacted*, That this act take effect from and after the first day of May, 1893, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 53.

AN ACT to change the line between Hardin and McNairy Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Hardin and McNairy be so changed as to include in McNairy County the residence and premises of W. W. Scott, viz.: Beginning at the aforesaid county line, on north side Adamsville and Savannah road, running east to his east boundary line; thence north to his corner; thence west to county line; thence south to beginning corner, containing, by estimation, fifteen acres, more or less.

SEC. 2. *Be it further enacted*, That this act take effect on and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 54.

AN ACT to amend an act, entitled "An act to amend the acts incorporating the town of Gallatin, in Sumner County," passed February 29, 1856, and also to amend an act, entitled "An act to amend the charter of the town of Gallatin," passed March 27, 1869.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the boundaries of the town of Gallatin, in Sumner County, be, and they are hereby, changed and extended as follows: Beginning at a point in the south boundary of the Hartsville pike, on the lands of J. B. Donelson; thence south  $2\frac{1}{2}$  degrees west 2,778 feet to a stake in the south boundary of the C. & N. Railway right of way; thence with said right of way south  $77\frac{1}{2}$  degrees west 800 feet to a stake; thence south 55 degrees west 180 feet to a stake; thence south  $81\frac{1}{2}$  degrees west 540 feet to a stake; thence leaving said railway south  $22\frac{1}{2}$  degrees east 155 feet to a corner in J. N. Turner's north line; thence following said line south 77 degrees west 1,012 feet to a planted rock on east side of the Woods' Ferry pike, also Turner's corner; thence with east side of said pike north  $22\frac{1}{2}$  degrees west 80 feet to a stake; thence crossing said pike and following north side of Factory Street south  $70\frac{1}{2}$  degrees west 980 feet; thence south  $18\frac{1}{2}$  degrees east 70 feet; thence south 70 degrees west 445 feet to south-west corner of cotton factory lot; thence north 80 degrees west 1,650 feet to a stake in the west side of Town Creek; thence north  $24\frac{1}{2}$  degrees west 600 feet to a stake in the west boundary of Haynes' land; thence so as to include the Haynes' land and the lot of Robert Maddox to the north side of the Nashville pike; thence following the north boundary of said pike south 54 degrees west to a stake on the south-west corner of E. Outlaw's lot; thence with west line of same north  $34\frac{1}{2}$  degrees west 676 feet to north side of Louisville and Nashville Railway; thence following said north boundary north 62 degrees east 560 feet to H. A. Holmes' south-west corner on said railway; thence north  $10\frac{1}{2}$  degrees east 900 feet to a stake on the north side of Red River pike; thence north 77 degrees west 65 feet to east side of an alley; thence

north 2 degrees east 250 feet to the north-west corner of W. Witherspoon's lot; thence with the north side of said lot south 89 degrees east 230 feet; thence south 20 feet; thence east 450 feet to the east line of Blythe Street; thence with east side of said street north  $12\frac{1}{2}$  degrees east 1,060 feet to the center of Railroad Street; thence crossing said street north 2 degrees east 2,880 feet to a stake on east side of Blythe Street; thence south 87 degrees east, crossing the Louisville and Nashville Railway at 670 feet, 1,650 feet to a stake on the east side of the Dobbins' pike; thence with said pike north 3 degrees east 170 feet to J. C. Rodemer's line; thence south 87 degrees east 980 feet to a corner of Martin's lot; thence south 2 degrees west 475 feet to a corner of Baber's lot; thence south 88 degrees west with said lot 505 feet to a stake; thence following west line of Tompkins street 1,900 feet to the Town Creek; thence crossing said creek south  $66\frac{1}{2}$  degrees east 130 feet to a stake in the east boundary of a proposed extension of College Street; thence with said boundary south 22 degrees east 335 feet to a stake; thence north 67 degrees east 670 feet to a stake; thence north 79 degrees east 220 feet to a stake in the north-west corner of Dr. T. M. Woodson's lot; thence north  $68\frac{1}{2}$  degrees east 970 feet; thence south 32 degrees east 642 feet to a stake; thence south  $22\frac{1}{2}$  degrees east 434 feet to the east boundary of the Scottsville pike; thence with said line north  $51\frac{1}{2}$  degrees east 380 feet to a stake at the junction of said line and south line of the Hartsville pike; thence with line of the Hartsville pike south 85 degrees east 370 feet to the beginning.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 55.

AN ACT to repeal the corporation of the town of Cardiff, in Roane County, Tenn.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporation of the town of Cardiff, in the county of Roane, in this state, be, and the same is hereby, repealed and abolished.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 56.

AN ACT to repeal an act, entitled "An act to extend the boundaries of the city of Knoxville," passed March 23, 1891, and approved March 25, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act passed March 23, 1891, and approved March 25, 1891, entitled "An act to extend the boundaries of the city of Knoxville," be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 57.

AN ACT to change the line between the counties of Clay and Pickett.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between Clay and Pickett Counties be changed as follows: Beginning on the Kentucky line where the present line between Clay and Pickett Counties joins the said Kentucky line, and run thence with the Kentucky line to where said line crosses Wolf River; and thence to run down Wolf River to mouth of said river, where it empties into Obed's River; and thence up Obed's River to the point where the Clay and Pickett County line now crosses said river, so as to include in Pickett County all the lands now belonging to Clay County lying between Obed and Wolf Rivers.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 58.

AN ACT to change the line between Coffee and Cannon Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Coffee and Cannon be, and the same is hereby, changed as follows: Commencing at the north-west corner of Needham Jernigan's lands in Coffee County; thence west with Leroy and William Talbert's lands in Cannon County, to G. P. Burk's lands in Cof-

fee County, so as to include the "Hill Farm," and on which A. J. Hill now lives, and also the lands of James Whittamore, within the limits of Coffee County.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 59.

AN ACT to protect game in certain counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person or persons to hunt, kill, or capture any wild deer in Bledsoe, Cumberland, Rhea, Fentress, White, Hamilton, Warren, Johnson, Hancock, Unicoi, DeKalb, and Montgomery Counties from the first day of December to the thirtieth day of September of each year; and that it shall be unlawful for any non-resident or resident of the state of Tennessee to hunt, kill, or capture any wild turkey or turkeys in Bledsoe, Rhea, Fentress, and White Counties from the first day of May to the first day of October of each year.

SEC. 2. *Be it further enacted*, That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five nor more than fifty dollars for each and every offense.

SEC. 3. *Be it further enacted*, That this act shall be given in charge by the judge of the circuit and criminal courts to the grand juries of each term of the court.

Sec. 4. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed; and that this act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 60.

AN ACT to repeal Chapter 35 of the Acts of 1887, entitled "An act to change the line between Anderson and Campbell Counties, so as to include the lands of Calaway, Burge, and Lorenzo Kennedy in Anderson County, and re-establish the old line."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 35 of the Acts of 1887 be, and the same is hereby, repealed, and the old line be re-established.

Sec. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 61.

AN ACT forbidding the digging up or obstruction of turnpikes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person or persons to dig up or otherwise obstruct any turnpike or macadam or gravel road constructed under the act passed March 23, 1888, to provide for the building of such roads, unless such person or persons shall have first obtained the written consent of the turnpike commissioners of such roads to so dig up or obstruct said roads; and upon conviction for the same, shall be guilty of a misdemeanor, finable not more than fifty dollars.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 62.

AN ACT to make the judge of the probate court of Shelby County and his successors in office, the judge of the second circuit court of Shelby County, and defining his powers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the judge of the probate court of Shelby County and his successors in office, be, and is hereby, made the judge of the second circuit court of Shelby County, and said judge is hereby vested with all the powers which are conferred by law upon all other circuit court judges in this State.



SEC. 2. *Be it further enacted*, That this act take effect from and after the date of its passage, the public welfare requiring it.

Passed March 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 63.

AN ACT to repeal the charter of the town of Cumberland Gap, Claiborne County, Tenn.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act, passed March 26, 1881, entitled "An act to amend the charter of Cumberland Gap, and authorize it to borrow money and issue bonds for corporate purposes," as well as the original charter granted to said town, be, and the same is hereby, repealed, and the charter of said town abolished.

SEC. 2. *Be it further enacted*, That the passage of this act shall not relieve the tax-payers of said municipality from the payment of the existing indebtedness of said corporation, but the chancery court of Claiborne County shall have power, upon a proper bill filed for that purpose by any creditor of said corporation, as a general creditor's bill, to appoint a receiver, and authorize him to collect any taxes unpaid at the time of the passage of this act, and to assess the taxable property within the present limits of said corporation, under the existing revenue laws of this state, sufficient to pay all of the indebtedness of said corporation; *Provided*, The taxes assessed and unpaid, at the time of the passage of this act, are not sufficient to pay said existing indebtedness, which shall be applied to the payment of said indebtedness, under the orders

and decrees of said court; and that this act take effect from and after April 1, 1893, the public welfare requiring it.

Passed March 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 64.

AN ACT to amend an act, passed March 10, 1891, and approved March 12, 1891, Acts of 1891, entitled "An act for the benefit of indigent and disabled soldiers of the late war between the states, and to fix the fees of attorneys or agents for procuring such pensions, and fix the penalty for the violation of the same;" and to amend an act passed March 25, 1891, approved March 28, 1891, entitled "An act to amend an act passed March 10, 1891, and approved March 12, 1891," Acts of 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the act passed March 10, 1891, and approved March 12, 1891, Chapter 64, and the act passed March 25, 1891, and approved March 28, 1891, Chapter 93, be, and they are hereby, amended by adding to Section 1 of said Chapter 64, and in lieu of Section 1 of said Chapter 93, the following: "Said board of pension examiners shall be, and are hereby, empowered to employ a secretary at a salary of five hundred dollars per annum, and the same shall be paid monthly on the warrant of the comptroller."

SEC. 2. *Be it further enacted,* That said board of pension examiners shall be, and are hereby, empowered to expend the sum of two hundred and fifty dollars annually, or as much thereof as may be necessary, in necessary printing, stamps, etc., and the same shall be paid, from time to time, on the warrant of the comptroller, issued upon the vouchers of the president and secretary of said board.

SEC. 3. *Be it further enacted,* That when a pensioner dies during a quarter the comptroller shall issue to his representative a warrant for the amount due him, from the date of his last payment to the date of his

death, on being furnished with a certificate of the death of the pensioner.

SEC. 4. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 65.

AN ACT to repeal an act passed and approved March 30, 1891, entitled "An act authorizing and requiring all clerks of all the courts in this state to pay into the state and county treasury all moneys, funds, or fees in their hands or courts unclaimed or uncalled for by the parties legally entitled thereto, and to repeal all laws or parts of laws in conflict with this act," being Chapter 227 of the Acts of 1891, and to revive 521, 522, 523, and 524 of the Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act of the General Assembly of Tennessee, passed and approved March 30, 1891, Chapter 227, be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That Sections 521, 522, 523, and 524 of the Code of Tennessee, be, and the same are hereby, revived and re-enacted.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 66.

AN ACT to require clerks of all courts of record and county registers to index and cross-index certain records kept by them respectively, and to make the failure to do so a misdemeanor.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter, the clerks of the supreme court and the clerks of all courts of record be, and they are hereby, required to index and cross-index each record of the minutes of the courts and the execution dockets so respectively required to be kept by them, showing in the direct index, in alphabetical order, the name or names of the plaintiffs or complainants, and against whom the suit is or was brought, and, in the cross or reverse index, show the name or names of defendants, in alphabetical order, and by whom the suit is brought.

SEC. 2. *Be it further enacted*, That county registers be, and are hereby, required to index and cross-index all records of deeds and mortgages and other instruments so kept by them, in the same manner as is required of clerks in section one of this act, the said registers to show in the direct index the name or names of the grantor or grantors, in alphabetical order, as now required by law, and, in the reverse or cross-index, the name or names of the grantee or grantees, in alphabetical order; also showing from whom the conveyance emanates.

SEC. 3. *Be it further enacted*, That, for failure or refusal to carry out or comply with the provisions of this act, such clerk or register shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than five nor more than twenty five dollars for each offense.

Passed March 28, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 67.

AN ACT to provide for the redistricting of DeKalb County, and providing for laying off said county into five civil districts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That DeKalb County shall be redistricted and laid off into five civil districts, as hereinafter provided.

SEC. 2. *Be it further enacted*, That there shall be one district laid off, including the county site, not exceeding an area over sixty-four square miles, so as to place the county site as near the center of the same as practicable, and the remaining four districts shall be laid off by lines running through the said county in a north and south direction and in an east and west direction, as near the center of the county as practicable, but so as to intersect said district including the county site at some point.

SEC. 3. *Be it further enacted*, That for the purpose of carrying the foregoing sections of this act into effect, that H. G. Roy, the county surveyor of said county, and J. L. Calvert and J. B. Butler are hereby appointed commissioners for the purpose of surveying and marking the lines, and to make plats or maps of the said districts, which, when completed, shall be returned to the county clerk of said county, who shall register the same in his office, and be by said clerk transmitted to the secretary of state for registration, as now provided by law.

SEC. 4. *Be it further enacted*, That said commissioners shall perform the duties imposed upon them by this act as soon as practicable, and shall receive reasonable compensation for their said services, to be allowed and appropriated to them by the county court of said county.

SEC. 5. *Be it further enacted*, That the county court of said county shall provide and designate a proper number of precincts or voting-places in said districts, to be numbered 1, 2, 3, 4, etc., so as to suit the convenience of the voters in the same.

SEC. 6. *Be it further enacted*, That the justices of the peace and constables be elected in said districts above provided for, at the expirations of the terms

of said offices in the old districts, as now provided by law.

SEC. 7. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 68.

AN ACT to create and establish School District No. 22, in the county of Franklin, State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That School District No. 22 is hereby created and established in the county of Franklin with the following metes and bounds, by a dividing line across the first district running as follows: Commencing at a point where the first school-district line crosses Boiling Fork Creek at or near Handley's mill; thence with the meandering of said creek to the point where the Georgia road crosses the said creek; thence northerly to the point where the Manchester road crosses Wagner's Creek; thence north-west to a branch that crosses the Estell Springs road in the lane beyond B. A. Rings; thence west to the second district line, including the residence of W. T. Moss, W. L. Jernigan, and Zinemon; thence south with the old line to the beginning, including the town of Winchester.

SEC. 2. *Be it further enacted*, That all the children of school-age, within the metes and bounds of School District No. 22, as created and established by the first section of this act, are by this act entitled to the school-privileges of said district.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 69.

AN ACT to authorize Fentress County to issue county bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Fentress have authority, acting through regular quarterly term of the county court, to issue coupon bonds of <sup>May issue bonds</sup> the county for the purpose of erecting and furnishing a county jail and meeting any outstanding indebtedness, on account of such building, not exceeding the sum of five thousand dollars, bearing interest at the rate of six per cent. per annum, payable annually. The bonds herein provided for to be payable fifteen years after date, but may be redeemed at any time by order of the county court at any quarterly term after the expiration of two years.

SEC. 2. *Be it further enacted*, That it shall be the duty of the county court, at some quarterly term, annually to levy a tax on the taxable property of the county <sup>To levy tax.</sup> for the purpose of paying the accrued interest; and it shall be the duty of the revenue collector of the county to collect and account for this money the same as other county funds or taxes. The coupons on the bonds herein provided for shall become due annually, and when due shall be receivable in payment for all county taxes, except the sinking-fund tax hereinafter provided for.

SEC. 3. *Be it further enacted*, That the county court, at the quarterly term annually, shall levy a tax on

Sinking fund  
tax; record of  
bonds.

the taxable property of the county to create a sinking fund for the redemption of the bonds authorized by the first section of this act when they fall due, or are called in, as hereinafter provided for; and to enable the court to know what amount to levy, the clerk of the county court shall keep a record of all bonds issued, giving number and amount of each, and also of all bonds redeemed and canceled.

Collection of  
tax; investm't  
of sinking fund.

SEC. 4. *Be it further enacted*, That the trustee or tax-collector shall collect and account for the sinking fund the same as he is now required by law to collect and account for other taxes; and the county court may, when it thinks proper, require the trustee or tax-collector to give additional bond for the safe-keeping and accounting for the fund; and the tax-collector or trustee may invest the sinking fund in any of the bonds provided for in this act that may be presented for redemption, to an amount not exceeding the sinking fund levy, and he may receive said bonds in payment of the sinking fund tax; but should no bonds be presented, he shall call for such an amount as the sinking fund will redeem, calling for them by number with the first, and redeem them in order; and for this purpose he shall have access to the clerk's books and assistance of the clerk.

Calling in bonds

SEC. 5. *Be it further enacted*, That when any bond is called for by the trustee or tax-collector, and not presented by the holder for redemption, the interest on such bond shall cease from that date, and that a call by public advertisement posted at the courthouse door shall be sufficient, such notice to set out the number and amount of each bond called for; and the coupons of such bonds shall not, after the date of the call, be receivable for taxes or redeemable, but shall be void; and should the bonds called for be withheld, then the trustee or tax-collector shall call for others in regular order, until the amount required be presented for redemption; and when coupons or bonds are redeemed by the trustee or tax-collector, he shall have credit for the same upon settlement with the county judge or chairman of the county court; and the number and amount being recorded by the clerk, the county judge or chairman shall, in the presence of the clerk and of trustee or tax-collector, burn the bonds and coupons.

Burning bonds.

Denomination;  
value; number-  
ing.

SEC. 6. *Be it further enacted*, That the bonds provided for in this act shall be in denominations of fifty



and one hundred dollars, and, when issued, shall not sell for less than face value; that each denomination shall be numbered in order, commencing with "one;" that it shall be the duty of the clerk of the county court to procure the bonds herein provided for, and the bonds shall be signed by the county judge or chairman, and countersigned by the clerk; that the trustee or tax-collector be allowed the same compensation for collecting the taxes provided for in this act as he is allowed by law for collecting other taxes; that the clerk have such compensation for his services as the court may allow. Compensation.

SEC. 7. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 70.

AN ACT to authorize J. T. Wilder, his successors, associates and assigns to build two dams across Nolachuckey River, Unicoi County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. T. Wilder, his associates, successors, and assigns, be authorized and allowed to construct and maintain two dams across Nolachuckey River, one to be near what is known as the Bailey farm, and the other about one-fourth of a mile above the Unaka Springs, in Unicoi County; *Provided*, Said Wilder, his successors, associates, and assigns, shall first secure written permission to build said dam or dams from the parties owning the banks of said stream where said dam or dams are built.

Sec. 2. *Be it further enacted*, That a log chute, ten feet in width, shall be provided for and maintained at some point in either dam for the full use of the public.

Sec. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 71.

AN ACT to abolish the charter of incorporation of the town of Charlotte, Dickson County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of incorporation of the town of Charlotte, in Dickson County, Tennessee, be, and the same is hereby, abolished.

Sec. 2. *Be it further enacted*, That this act take effect from and after May 1, 1893, the public welfare requiring it.

Passed March 29, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 72.

AN ACT to provide a more efficient mode for the collection of taxes on land by the town of Franklin, in Williamson County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the board of mayor and aldermen of the town of Franklin, a municipal corporation in the county of Williamson, be, and they are hereby, empowered and authorized to enforce the lien for taxes due said municipality on real estate, and also for the enforcement of any such taxes that may hereafter fall due, as hereinafter set forth; to prepare and file bills in the chancery or circuit court of the county of Williamson. Not less than twenty-five pieces or parcels of property shall be embraced in the same bill, if there be that number delinquent in said town or city at the time same is filed; and if there be less than that number so delinquent, then all of the same shall be embraced in one bill, and the owners of the same shall be made defendants thereto; and the bill shall not be objectionable on account of the number of parties, nor on account of the amount sought to be recovered in each case. All parties having an interest in the property, and all parties necessary to enable the court to enforce the lien, divest title, and vest the same in the purchaser, may be made parties defendant; but the proceedings with reference to one particular piece of land shall not be invalidated by reason of any failure to make proper parties with reference to any other piece of land embraced in the same bill. To enforce tax-lien; proceedings.

SEC. 2. *Be it further enacted*, That the proceedings had by virtue of any such bill shall be treated as one lawsuit, and all costs of docketing, decrees, etc., incident to said suit as a whole shall be charged *pro rata* against the several pieces of land against which judgment may be had, or which may be relieved from the lien by reason of a payment thereof before judgment. Costs.

SEC. 3. *Be it further enacted*, That such bills may be filed at any time for the collection of the taxes due and unpaid for the year 1891, and the previous years; but as to the taxes for the year 1892, and future years, the city marshal shall hold the books, and enforce Filing bills; duties of marshal.

collection so far as possible thereon as an officer (the said tax books having the force of judgments at law), until the first day of July next following the year for which said taxes are assessed, at which time said city marshal shall turn over said books, with all unpaid taxes thereon marked by him "delinquents," to the attorney appointed by said board of mayor and aldermen, or if there be no such attorney, then to said board of mayor and aldermen. At any time after said date said bills may be filed.

Form of bills;  
exhibits; issue;  
appeals.

SEC. 4. *Be it further enacted*, That said bills herein provided for shall be in substance and form the same as other bills filed in said courts, and shall show by exhibits the names of the parties to whom the several pieces of land are assessed, together with the date and amount due or claimed. Said exhibits are to be true copies from the books of the city marshal, and shall be *prima facie* evidence of the facts therein set forth, and the same shall be signed by the city marshal. No defendant shall be entitled to a copy of the bill without applying to the clerk of the court and paying for the same; nor shall it be necessary that all the defendants names be included in the copy of the subpoena served on any particular defendant or publication for non-residents. Said cause shall be at issue as to any defendant when his or her answer has been filed, or *pro confesso* order taken, and the cause may be proceeded with by or against any one or more of the defendants to final judgment, sale, and confirmation without in any way affecting any other party to the suit. Any party to the suit shall have the right of appeal to the supreme court, writ of error, or appeal in the nature of a writ of error, and such appeal shall not affect the proceedings as to other parties.

Orders and decrees.

SEC. 5. *Be it further enacted*, That all proper orders and decrees may be made and enforced by said courts in said suits for the sale of land to enforce said tax liens, and for the vesting of title in the purchasers.

State & county  
tax law, when  
to govern.

SEC. 6. *Be it further enacted*, That, in all other respects, said proceedings in court, the powers of the courts, costs, terms of sale, publication, and rights, privileges, and liabilities of the defendants, or persons owing said taxes, or persons owning or claiming said lands on which taxes are due or claimed to be due, shall be the same as is now prescribed by law with reference to state and county taxes, and suits for the enforcement of the liens thereof.

SEC. 7. *Be it further enacted*, That this act shall take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 73.

AN ACT to change the line between the counties of DeKalb and Smith.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between DeKalb and Smith Counties be so changed as to run from the north-west corner of the tract of land belonging to T. J. Fisher, on Smith Fork Creek, southward with the west boundary of said tract and the east boundary of P. L. Reynolds, with the fence between said parties, to the south-west corner of said Fisher tract, and thence east with the line between said Fisher and Reynolds, to the county line.

SEC. 2. *Be it further enacted*, That the line between said counties be further so changed as to run with the north and west boundaries of the lands of H. S. Gill, on which he now lives, and include his farm in DeKalb County.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 74.

AN ACT to amend an act, entitled "A bill to establish taxing districts in this State, and to provide the means of local government for the same," being Chapter 11 of the Acts of 1879, the act hereby amended being Chapter 218 of the Acts of 1887.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the act hereby amended as relates to the salary of the president of the board of fire and police commissioners be amended to read as follows: "The salary of the president of the board of fire and police commissioners shall be fixed by the legislative council at not less than three thousand dollars nor more than four thousand dollars per annum, payable in monthly installments. The salary, when first fixed under this act, shall continue to the first day of January, 1894, and shall thereafter be fixed annually by the legislative council within the limits aforesaid.

SEC. 2. *Be it further enacted*, That all acts and parts of acts in conflict with this act be, and the same are hereby, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 75.

AN ACT to authorize the trustees of Covington Academy to sell, lease, or otherwise dispose of the property of Covington Academy, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the trustees of Covington Academy, at Covington, Tennessee, or any board of trustees of said academy that may hereafter be appointed or qualified as required by law, be, and they are hereby, authorized and empowered to rent, sell, lease, or otherwise dispose of the lot of land or other property belonging to said academy at Covington, Tennessee.

SEC. 2. *Be it further enacted*, That said board of trustees are empowered to execute all necessary deeds or conveyances to said property and to make such trades and uses about the proceeds of the same, if sold, as may be to the best interests of the common schools in the said town of Covington.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 76.

AN ACT to amend Chapter 62, Section 2, of 1885, of the acts of the General Assembly of the State of Tennessee, entitled "An act to protect public bridges."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 62, Section 2, of 85, of the acts of the General Assembly of the State of Tennessee, entitled "An act to protect public

bridges," be, and the same is hereby, amended by adding, after the word "roads," in said Section 2, "but the provisions of Section 1, and the penalty prescribed in Section 2, of this act, shall apply where only a part of any bridge over a river is within the limits of a municipal corporation."

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 4, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 77.

AN ACT to create the office of county judge of Giles County, Tenn.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there shall be elected by the qualified voters of Giles County, a person learned in the law, to be styled county judge of Giles County, and who shall be the county judge of said county, and who shall be thirty years of age; and who shall hold his office for a term of eight years from the date of his election, and until the election and qualification of his successor. Said person shall be a citizen of Giles County, and a person of good moral character.

SEC. 2. *Be it further enacted*, That the first election for county judge of Giles County shall be held at the same place and time, and by the same officers that the other county elections are held, on the first Thursday in August, 1894, and under the same rules and regulations that are prescribed by law for other county



elections; and subsequent elections (except vacancies, which shall be filled when they occur in the manner prescribed by law) on the first Thursday in August every eight years thereafter; and in case of sickness, incompetency, or inability of the county judge, a special judge may be elected under the same provisions, and with the powers of said county judge, in the same manner as prescribed by Section 4695, Milliken & Vertrees' compilation of laws of Tennessee.

SEC. 3. *Be it further enacted*, That all the jurisdiction and powers of the present county courts of this state over administrators, executors, guardians, wards, trustees, wills, dowers, petitions for sale or division of land, be, and the same are hereby, given to the county court to be held by the county judge aforesaid; and all other questions over which the chairman of the county court now has jurisdiction, and all other duties now devolving upon or power exercised by the chairman of said county court by the general laws of this state, be, and they are hereby, conferred upon the county judge aforesaid. And the office of chairman of the county court of Giles County, and the office of chairman *pro tem.* of the county court of said county, are abolished from and after the first Monday in January, 1894.

SEC. 4. *Be it further enacted*, That the county judge of Giles County shall receive for his services as county judge aforesaid the sum of one thousand dollars per annum, to be paid quarterly out of the revenue of the county upon the judge's own warrant, countersigned by the county court clerk, and said one thousand dollars shall be in full for all fees, compensation, and emoluments connected with said office.

SEC. 5. *Be it further enacted*, That nothing in this act shall interfere with the holding of the office of chairman of the county court of said county by the present incumbent until the expiration of his term, on the first Monday in January, 1894.

SEC. 6. *Be it further enacted*, That it shall be made the duty of the governor to appoint a competent person to hold the office of county judge of said county from the first Monday in January, 1894, to the first Monday in September, 1894, and until his successor is elected and qualified.

SEC. 7. *Be it further enacted*, That the county judge provided for in this act shall be required to enter into bond, with sufficient security, as the county court, at

its quarterly term, may require as the financial agent of the county.

Passed March 16, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 4, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 78.

AN ACT to provide for the erection of a penitentiary and appurtenances, upon improved and modern plans, in which to keep and maintain state convicts; to provide for the utilization of convict labor therein, and upon farming land, and in a coal mine or mines, and for the purchase of the property necessary for the aforesaid purposes, and to prepare for the abolition of the convict lease system in Tennessee.

Penitentiary—  
erection of au-  
thorized.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That there shall be erected for the custody, care, and maintenance of the convicts of the state, a penitentiary, with the hereinafter indicated appurtenances and incidents thereto, namely: Said penitentiary shall be located near an advantageous commercial and accessible distributing point in the state, selected with due regard to such surroundings as will be most conducive to the attainment of the objects of this act, the interests of the state, and the humane and healthful management of said penitentiary.

Capacity; chap-  
el; hospital;  
workshops; farm.

SEC. 2. *Be it further enacted,* That the main prison or penitentiary, selected as aforesaid, shall, together with the immediate premises thereto, be of such sufficient dimensions and capacity as to provide for the custody and care of not less than one thousand five hundred (1,500) convicts, of thorough workmanship, substantial character, and complete adaptation to the purposes of its construction, with approved modern plans and appointments, including a chapel, and a hospital or hospitals thereto attached; and said main prison or

penitentiary, and its appurtenances and incidents, shall be managed and conducted upon just, humane, and civilized principles. There shall be erected, in connection with said main prison or penitentiary, within its outer walls, such buildings and work-shops as may be deemed necessary to utilize the labor of the convicts of the state in diversified industries; it shall have, in connection with the same, a farm, in one body of land, not to exceed one thousand five hundred (1,500) acres, with such buildings thereon as may be necessary to operate said farm. Said main prison or penitentiary and farm shall be located separate and apart from the coal lands and stockades hereinafter provided for, and with due regard to Section 1 of this act.

SEC. 3. *Be it further enacted*, That said main prison or penitentiary shall be so constructed as to provide for the grading and classification of convicts, in such a manner as shall be most conducive to prison discipline and the moral status of the inmates, and, among other things that may be advisable for this purpose, to provide:

Classification of  
convicts.

*Subsection 1.* For the keeping of male and female convicts separate and apart, so they may not come in contact with each other, in the work and management of said prison.

*Subsection 2.* For the keeping separate and apart from the other inmates of the prison minors under the age of eighteen years, and such convicts as appear to be corrigible, or less vicious than the others, and susceptible to control and observance of prison laws, and disposed to maintain themselves by honest industry after their discharge from said prison.

*Subsection 3.* For the keeping separate and apart from the other convicts such convicts as appear to be incorrigible or more vicious, but so competent to work and reasonably obedient to prison discipline as to not seriously interfere with the productiveness of the labor of other convicts with whom they may be employed.

*Subsection 4.* For the keeping separate and apart from the other convicts such convicts as may appear to be incorrigible, or so insubordinate or incompetent (otherwise than from ill health) as to seriously interfere with the discipline or productiveness of their own or the labor of the prison.

*Subsection 5.* For the keeping separate and apart of

white and colored convicts, except when actually engaged in work or employment.

*Subsection 6.* But it shall be lawful to transfer, for good and sufficient cause, any convict from one grade or class to another grade or class, under such rules and regulations as may be adopted for the discipline and management of the convicts.

*Subsection 7.* Only one convict shall be confined in each cell.

**Purchase land; erect stockades.** SEC. 4. *Be it further enacted,* That in connection with the prison system herein established, and as a secondary feature thereto, there shall be purchased suitable coal lands, of not more than ten thousand (10,000) acres, for the purpose of opening and operating a mine or mines, and utilizing such of the labor of the convicts of the state as may be deemed advisable in operating a coal mine or coal mines; and such necessary and sufficient stockades as may be required for the safe-keeping of convicts worked in said mine or mines shall be erected on said land or lands, not to exceed in cost of construction of said stockades the sum of \$35,000, and out of which sum the committee to be appointed may also provide for the opening of such mine or mines by the time the convict lease now in force expires, and for this purpose said committee may employ a competent and skillful mining engineer.

**Objects of act.** SEC. 5. *Be it further enacted,* That this act is passed for the purpose of enabling the state to relieve its citizens from the financial burdens of crime; to remove, as far as possible, convict labor from competition with free labor; to utilize, under the exclusive control and management of the state, and for and on the state's account, the labor of its convicts for their maintenance and the re-imbursement to the state of the cost of its criminal prosecutions and the expenses incurred under this act, and for the support of such state asylums as are dependent upon state taxation; and from and after the expiration of the lease now in force between the state and the lessees of the hire and labor of the convicts of the state, to forever abolish the convict lease system in this state.

**Governor to appoint committee** SEC. 6. *Be it further enacted,* That to carry into effect the objects of this act, the governor of the State of Tennessee is hereby empowered and directed, as soon as practicable, after the passage of this act, to appoint three citizens of the state, to be known as the penitentiary purchasing and building committee,

upon whom full power and authority is hereby conferred to carry out the provisions of this act, subject to such restrictions and instructions as are set out in this act. Said persons shall be men of recognized integrity and good business capacity, and thoroughly competent and skilled for the duties herein imposed.

SEC. 7. *Be it further enacted*, That in the performance of the duties herein indicated, said committee is instructed as follows:

*Subsection 1.* The farm on which said main prison <sup>As to farm.</sup> or penitentiary is to be built must be suitable for the purposes herein provided for, and shall not cost more than seventy-five thousand (\$75,000) dollars in the aggregate, and shall be purchased by said committee upon such terms as may be deemed best for the interests of the state.

*Subsection 2.* The site upon which said penitentiary <sup>Site.</sup> shall be erected shall be manifestly suitable for the purposes provided for in this act, and shall be selected with due regard to drainage and sanitary facilities. It shall be upon the farm herein directed to be purchased.

*Subsection 3.* The coal lands herein directed to be purchased shall not cost more than eighty thousand (\$80,000) dollars in the aggregate, and may be purchased on such terms as may be deemed best for the interest of the state. Before purchasing said coal lands, said committee shall select, with the greatest care, a competent and skillful mining expert, who, <sup>Mining expert and geologist to examine lands.</sup> with the state geologist, shall examine, test, approve, and certify that any coal lands proposed to be purchased under this act, are suitable and profitable coal-mining property; and, until these precautions are observed, and said committee is fully satisfied the property is adapted for the purposes herein indicated, no purchase shall be consummated or become effective; said coal lands shall be selected with due regard to transportation facilities of the output of the mines.

*Subsection 4.* Any person, company, or corporation proposing to sell any property under the provisions of this act shall furnish said committee a full and complete abstract of title, and no purchase shall be made <sup>Abstract of title</sup> or become effective until it unquestionably appear the title is perfect, and the said title and muniments thereof shall be examined, passed upon, and approved by the governor and attorney-general of the State of Tennessee; and no purchase shall become operative or

effective under this act until the governor of the State of Tennessee has passed upon and approved the purchase thereof.

Title made to  
governor.

*Subsection 5.* The title to any property purchased under this act shall be made in fee-simple to the governor of the State of Tennessee for the time being, and his successors in office, for and as the property of the state, and such title shall be passed by deed, with full covenants of warranty, seizure, and against incumbrances.

Transportation.

*Subsection 6.* The said committee shall have power to contract with railroad companies for the necessary transportation to and from the main prison and the coal mine or mines; also for the construction of railroads to the same; but by no such contract shall they incur any expense to the state in the construction of said roads.

Committee to  
inspect other  
prisons.

*Subsection 7.* It shall be the duty of said committee, at the expense of the state, to visit and inspect the modern and improved methods of prison construction and arrangement of other states as far as in their judgment they may deem necessary for the purpose of informing themselves as to the best methods and plans for the carrying out of the provisions of this act as to the erection of the penitentiary; but said expense shall not exceed the sum of one thousand dollars (\$1,000).

Contract—pro-  
visions as to.

*Subsection 8.* Any contract made by said committee, under the provisions of this act, shall fully and specifically, in writing, set out the terms, plans, and specifications thereof; and any contract made by the committee shall be submitted to the inspection of the governor and attorney-general of the State of Tennessee, and shall not be consummated or become effective until passed upon and approved by the governor and attorney-general, and a true copy thereof filed in the office of the secretary of state.

To advertise for  
land.

*Subsection 9.* Said committee, upon the appointment and qualification of the members thereof, shall advertise at once, in one prominent newspaper in each grand division of the state, for thirty days, for a suitable site and farm, and also suitable coal lands, for the purchase of the same; and they shall personally examine and inspect such of the lands so offered for sale as in their judgment they may deem most suitable for the purpose herein provided for.

*Subsection 10.* Said committee shall proceed to ad-

vertise in such prominent newspapers in the United States, and for such period as they may deem it advisable, for plans and specifications for the erection of the said penitentiary and work-shops and buildings connected therewith; and all plans and specifications offered said committee shall by it be submitted to the skilled architect or building expert herein provided for for his inspection, examination, and approval; and when any plans or specifications for the erecting of buildings or work-shops provided for in this act shall have been passed upon and approved by said skilled architect or building expert and accepted, thereupon said committee shall, in the manner aforesaid, advertise for bids for the erection of such buildings or work-shops as are contemplated in this act. Any bid or bids made or submitted to said committee, shall be examined, passed upon, and approved by said skilled architect or building expert, and then examined and approved by the governor before the same shall be accepted by said committee; *Provided*, Said committee, together with the governor, shall have the power to reject any and all bids or offers made under the terms of this act, or under Subsections 9 and 10 thereof; *Provided*, That the costs of said advertising shall not exceed the sum of five hundred (\$500) dollars.

Plans and specifications.

Bids to be advertised for.

*Subsection 11.* Said committee may, in its discretion, cause penitentiary buildings contemplated by this act to be erected, either by contract in which the contractor furnishes the labor, or by contract in which the state furnishes to the contractor or contractors, upon reasonable terms, convict labor, to be used as far as practicable in the erection of said buildings, or by the said committee undertaking, under its own supervision and control, the erection of the same, and utilizing, as far as practicable, convict labor for that purpose. In the event of the adoption of either of the last two methods, said committee is authorized to negotiate with the prison lessees of the state for the use of such convict labor as may be advisable. Said committee may also, in its discretion, provide for the payment of the purchase-money for the lands purchased under this act by the use of convict labor; and, for this purpose, said committee is authorized to negotiate with the said prison lessees. No member of said committee shall be interested, directly or indirectly, in any property purchased by them, or in

Contract—methods of.

No committee-man to be interested party.

any contract made by them, or in any work done in carrying out the provisions of this act.

**Architect — duties and compensation.**

**Subsection 12.** Said committee shall, in behalf of the state, engage the services of a thoroughly skilled and competent architect or building expert to inspect and examine all specifications, plans, bids, and contracts submitted to said committee for the erection of said buildings, and pass upon and approve the same before the adoption thereof by said committee; and said skilled architect or building expert shall be further engaged and required to vigilantly inspect and supervise, from time to time, any buildings and appurtenances erected under this act, and see that the same are in exact accordance with the plans, specifications, contract or contracts for the erection thereof; and any contract made with the architect or building expert shall be in writing, and the amount of his compensation fixed therein, which shall not, in all, amount to more than \$3,000.

**Organization of committee; quorum.**

**Subsection 13.** Said committee shall, as soon as practicable after appointment and qualification, meet and organize by the election of one of their number as chairman and another as secretary. Any two of said committee shall constitute a quorum for the transaction of business.

**Auditing board**

**SEC. 8.** *Be it further enacted,* That any claim or demand against the state, accruing under the provisions of this act, shall be audited and approved, in writing, by the governor, secretary of state, and comptroller before the payment thereof, and they are hereby constituted an auditing board for this purpose. Such claims or demands shall be presented to said board, in writing, specifically and fully itemized. It shall be the duty of said auditing board to carefully scrutinize and examine into every claim or demand before approval of the same, and no payment thereof shall be made unless the provisions of this section are strictly complied with in every respect.

**Removal of committeemen; vacancy.**

**SEC. 9.** *Be it further enacted,* That any member of the said purchasing and building committee may, at the pleasure of the governor, be by him removed upon good and sufficient cause. In case of a vacancy upon said committee, caused by death, removal, resignation, or otherwise, the vacancy shall be immediately filled by the governor.

**SEC. 10.** *Be it further enacted,* That before entering upon their duties said committee shall take and sub-



scribe to, before any person authorized to administer the same, an oath to fully, faithfully, and impartially discharge the duties imposed by this act, which said oath shall be filed in the office of the secretary of state; said committee, as a committee, shall also, before entering upon their duties, execute a joint and several bond in the sum of thirty thousand dollars (\$30,000), with good and approved security, not less than two in number, and conditioned to vigilantly, faithfully, and impartially discharge all the duties imposed upon the committee by this act, and to, as speedily as practicable, perform said duties; and for his services each member of said committee shall receive a salary in the sum of two thousand dollars (\$2,000) per annum so long as actually and necessarily engaged in the performance of his duties, the term of service to be computed from the commencement of actual service, and to terminate as soon as the services herein contemplated shall be completed. Said salary shall be paid quarterly, on the warrant of the comptroller, and said committee shall also be entitled to reasonable traveling expenses, necessarily and actually incurred in the performance of their duties.

Oath, bond,  
salary, and ex-  
penses of com-  
mittee.

SEC. 11. *Be it further enacted*, That in case convict labor should be used in carrying out the provisions of this act, the supervision, management, and control of the convicts so used shall be regulated and governed by the laws in force in the state as to the labor of convicts.

Convict labor—  
state law to reg-  
ulate.

SEC. 12. *Be it further enacted*, That the said purchasing and building committee shall formulate and report to the governor of the state a code of law and regulations for the management and conduct of the penitentiary system of the state, which shall by the governor be transmitted, with such advice as he may deem advisable, to the next general assembly of the state for its consideration; *Provided*, Said committee shall not receive any additional compensation for said work.

Regulations—  
committee to  
make.

SEC. 13. *Be it further enacted*, That said purchasing and building committee is empowered to make such contracts as may be necessary to carry out the provisions of this act. But any person, firm, or corporation entering into a contract or contracts with said committee, under this act, shall execute a good and solvent bond, payable to the State of Tennessee, with surety, and conditioned to specifically and faithfully

Contracts—  
committee may  
make; bond.

perform the conditions and terms of such contract or contracts; such bond shall be in a sum sufficient to cover the amount of the contract, and secure the state against any loss or damage in case of non-compliance with such contract in any particular; and such bond, before accepted, shall be passed upon and approved in writing by the governor and attorney-general of the state, and a copy thereof shall be filed in the office of the secretary of state. Any contract made by said committee shall provide, as a further security to the state, for the retention of ten per cent. of the amount of the contract until the final and legal completion and acceptance of such contract as provided for in Section 14.

Buildings to be examined; contractor liable for loss to state.

SEC. 14. *Be it further enacted*, That any building or buildings erected by contract, under the provisions of this act, upon completion thereof, and notification, in writing, by the contractor or contractors, to said committee, shall be thoroughly inspected and examined by said committee, together with the governor, and the skillful architect or building expert hereinbefore provided for; and in the event there is, in any particular, any failure to comply with the terms and conditions of the contract for the construction or erection thereof, such building or buildings may be rejected by the governor, and the contractor or contractors be held liable for any loss or damage accruing to the state, and be debarred from any recovery whatever against the state.

Convict labor—account to be kept of.

SEC. 15. *Be it further enacted*, That if, under this act, convict labor should be furnished by the state to any contractor or contractors in payment of any lands purchased as herein directed, then said purchasing and building committee shall be required to keep an accurate record of the number of convicts so used, and the amount of hire and labor of each, the cost of the care and maintenance of each, and an itemized statement of the same, and of all matter pertaining to the use of said convicts, and make a monthly specific report to the auditing board hereinbefore named.

Salaries and expenditures.

SEC. 16. *Be it further enacted*, That the salaries and expenditures provided for and enumerated in this act, when audited as hereinbefore set out, shall be, and are hereby, ordered paid upon the warrant of the comptroller and out of the funds raised from the bonds of the state sold or otherwise raised to carry out the provisions of this act; *Provided*, That there

shall be, for the erection of the buildings and improvements of the main prison or penitentiary, and on the farm appendant thereto, expended not more than one hundred thousand dollars (\$100,000) for the year 1893, two hundred thousand dollars (\$200,000) for the year 1894, and thereafter such of the residue of the prison fund as may be necessary under this act; *And provided further*, In no event shall the aggregate expenditures to carry out the provisions of this act exceed the sum of six hundred thousand dollars (\$600,000).

SEC. 17. *Be it further enacted*, That all laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed March 25, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 4, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 79.

AN ACT to authorize the county court of Shelby County to issue bonds for certain purposes.

WHEREAS, Shelby County has become indebted to various persons in the sum of one hundred and fifty thousand dollars, said indebtedness having been occasioned by the erection of an insane asylum, an addition to the work-house, and internal improvements, and for other county purposes; and, Preamble.

WHEREAS, Shelby County is thereby indebted to various parties and persons in the sum of one hundred and fifty thousand dollars, due for addition to work-house, for county expenses, and for other county purposes, and sundry indebtedness evidenced by judgments and outstanding warrants, a part of which indebtedness is bearing a high rate of interest; therefore,

**May issue bonds** SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county court of Shelby County, at any quarterly term, be, and is hereby, vested with authority to issue coupon bonds of said county to the amount of one hundred and fifty thousand dollars, for the purpose of paying the debts and liabilities set forth in the preamble of this act.*

**Denominations, series, interest, etc.** SEC. 2. *Be it further enacted, That the bonds authorized by this act may be issued in such denominations, and payable when and where it may seem to the said county court best fitted to accomplish the object in view; Provided however, That said bonds shall be issued in series, with five years intervening between the maturity of each series so as to absorb every five years the sinking fund hereinafter provided; that said county court shall not sell or dispose of any bonds issued under this act at less than par; that said bonds shall not bear a greater rate of interest than six per cent. per annum; And provided further, That the said county court, issuing bonds under this act, shall only issue them in such amounts as that the same, or their proceeds, can be immediately applied to the purposes herein designated.*

**Special interest tax.** SEC. 3. *Be it further enacted, That the said county court is hereby required to levy a special annual tax sufficient to meet the interest on said bonds as said interest matures; and the interest coupon on said bonds shall be receivable in payment of all taxes and dues to the county, except the sinking fund tax hereinafter provided.*

**Sinking fund tax.** SEC. 4. *Be it further enacted, That the said county court is hereby authorized and required to create a sufficient sinking fund for the payment of the principal of said bonds as the same matures, by a levy and collection of an annual tax for the specific purpose, to be known and designated as the sinking fund tax. Said annual sinking fund tax shall be of such an amount as the same, with its accretions, will be sufficient, at the end of each five years, to pay off the series of bonds maturing each five years. The power to issue bonds under this act is hereby conditioned upon an agreement of said county court so issuing to comply with the requirements of this section as to a sinking fund tax, and of Section 3 as to interest, which agreement will be evidenced by the issuing of said bonds.*

SEC. 5. *Be it further enacted, That the trustee of*

Shelby County shall hold, invest, and pay out the sinking fund herein provided for. Said trustee shall make to the county court semi-annual reports as to the amount, nature, and exact condition of the sinking fund in his hands; and he shall invest said sinking fund as fast as it accumulates in the series of bonds for the payment of which the fund is being accumulated, so far as possible, and in such other securities as the county court may, from time to time, direct. The said trustee of said county issuing bonds under this act shall, before entering upon the duties of his office, give, in addition to the other bond required of him, a special bond in an amount sufficient and properly conditioned to fully preserve and protect the sinking fund that may come into his hands. Said trustee shall be paid a reasonable compensation for the care and custody of the said sinking fund, said compensation to be fixed by the county court.

Trustee to manage sinking fund; special bond.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 80.

AN ACT to repeal Chapter 171 of the Acts of 1891, passed March 24, 1891, and approved March 28, 1891, entitled "An act to create and regulate the office of county judge in the county of Claiborne."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 171 of the Acts of 1891, passed March 24, 1891, and approved March 28, 1891, entitled "An act to create and regulate the office of county judge in the county of Claiborne," be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That nothing in this act shall apply to the present incumbent of the office

of county judge, who shall continue to discharge the duties of county judge of said county, as provided by said act, until the expiration of his present term.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 81.

AN ACT to change the line between the counties of Henderson and Chester.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Henderson and Chester be so changed as to detach from Henderson and attach to the county of Chester the territory in the following boundaries, to wit: Beginning where the Chester County line now strikes the Forked Deer River, being the north-east corner of said county, running east with said stream to its fork with what is known as the Middle Fork of the Forked Deer; thence with said stream south of east to C. Beaver's old mill place; thence south-east with mill stream to the Miffin and Saltillo road, at Mt. Gilead; thence south to the county line.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 82.

AN ACT to declare Poor Valley Creek navigable.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Poor Valley Creek, in Hawkins County, Tenn., be declared a navigable stream, for the floating of logs, from its mouth to the forks of said creek, at or near the residence of Washington Hunzman, in said county.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 83.

AN ACT to repeal an act, entitled "An act to change the county line between Hawkins and Hamblen Counties," act approved on the twenty-seventh day of February, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act passed on the twenty-third day of February, 1889, and approved on the twenty-seventh day of February, 1889, changing the line between the counties of Hawkins and Hamblen, is hereby repealed.

SEC. 2. *Be it further enacted*, That the same take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 84.

AN ACT to amend an act, entitled "An act to establish taxing districts in this state, and to provide means of local government for the same," passed January 29, 1879, and all acts amendatory thereof, so as to give the legislative council of the city of Memphis power to levy taxes for the support of said city, and to change the manner of filling any vacancy in the board of police and fire commissioners, or in the board of public works of said city; and to provide a street and sewer commissioner for said city.

Sections 2 and  
12, Acts 1879, re-  
pealed in part.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of section two of said act as provides that the necessary taxes for the support of corporations established under said act shall be imposed directly by the General Assembly of the State of Tennessee, and not otherwise, and so much of the twelfth section of said act as provides that the commissioners or trustees or other governing agencies employed for said corporations are expressly prohibited from levying any tax for any purpose, that power being reserved to the legislature, be, and the same is hereby, repealed.

Section 13 re-  
pealed in part.

SEC. 2. *Be it further enacted,* That so much of section thirteen of said act as requires the fire and police commissioners, provided by said act as one of the governing agencies for corporations contemplated by said act, to make to the governor a biennial report in thirty days after the convening of the regular session of the legislature, showing in detail all their acts and doings and all their expenditures in each of the several departments, and the amount of work accomplished in each, be, and the same is hereby, repealed, as well as all other provisions in said act requiring a report to the general assembly on the subject of taxes to be imposed for the benefit of such corporations.

Officers—gov-  
ernor not to ap-  
point.

SEC. 3. *Be it further enacted,* That so much of said act as provides for the appointment of any of the governing agents or officers of the city of Memphis by the governor of the State be, and the same is hereby, repealed.

Taxation.

SEC. 4. *Be it further enacted,* That from and including the year 1893, power is hereby conferred upon the legislative council of the city of Memphis to levy and impose all necessary taxes for the support of the gov-



ernment of said city. In the exercise of said power the legislative council shall always levy and impose a sufficient tax to pay the interest of the outstanding bonds of said city, and to provide a sinking fund for the retirement of the bonds themselves, as required by the law under which said bonds were issued. For the year 1893 the rate of taxation for all purposes, including that for the interest and sinking fund as above provided, shall not exceed \$1.75 on the one hundred dollars for the old wards of the city, that is, from the first to the eighth ward inclusive, and \$1.24 on the one hundred dollars for the ninth and tenth wards thereof; and for the year 1894 and thereafter the rate for all purposes in the said old wards shall not exceed \$1.80 on the one hundred dollars; and in the said new wards \$1.29 on the one hundred dollars of taxable property. Any tax levied in excess of the limits aforesaid shall be void. The power conferred thus to impose taxes shall apply to every object and subject of taxation within the corporate limits of the city of Memphis. Said power shall extend to every species of property, and to privileges and wharfage dues, and all other things upon which the legislature or the city has heretofore laid taxes, rates, or assessments for the support and maintenance of said government, the object being to provide for the exercise of the power herein conferred under the restrictions named as fully as the same could be exercised if the legislature and not the city were exercising the power.

SEC. 5. *Be it further enacted*, That all laws imposing privilege taxes for said municipality shall remain in force until changed by the state or by such municipality under the authority here delegated. Privilege taxes.

SEC. 6. *Be it further enacted*, That all laws providing means or giving liens or remedies for the collection and enforcement of taxes for such municipality heretofore levied by the general assembly shall be and remain in force and apply to the collection of said taxes when levied by said city under the authority hereby conferred. Collection of taxes.

SEC. 7. *Be it further enacted*, That when any office filled by the popular vote of the voters of said city shall become vacant, the same shall be filled by the legislative council of said city until the next regular municipal election, at which time a successor of such appointee by the legislative council shall be chosen. Office—vacancy of.

for the unexpired term by popular vote at an election to be held for that purpose.

Estimate of revenue—publication.

SEC. 8. *Be it further enacted*, That each department of said city government shall, at least thirty days before the tax levy for the succeeding year, submit, in writing, an estimate of revenue required by it, and also a report of its aggregate expenditures for the expiring year, which estimates and reports shall be published at least once a week for four weeks next preceding the annual tax levy of Memphis, for the information of the citizens and tax-payers of said city; *Provided*, That the four weeks' publication of the expenses and estimates of the departments of the city government as herein provided shall not apply for the year 1893, but for 1894, and subsequent years.

Street commissioner—election, official and special oath, bond, salary, duties.

SEC. 9. *Be it further enacted*, That there shall be, in addition to the officers and governing agencies of said city now existing in its charter, an officer to be known as street commissioner, which office shall first be filled by the legislative council of such municipality as soon as practicable after the passage of this act, and the term of which office shall continue until the next regular municipal election thereof, at which time said office shall be filled by the popular election for a term of two years; the said election to be held, as other popular municipal elections are held, by the sheriff of the county in which said municipality is located; said officer at all times to hold until his successor is elected and qualified; said officer shall take an oath of office for the faithful discharge of his duties, and give bond in the sum of \$10,000, with sureties satisfactory to the legislative council, and thereupon he shall be inducted into office by the legislative council, and enter upon the discharge of his duties; he shall not be a member of the legislative council, or take any part in its deliberations; he shall receive a salary of \$2,500 per annum; he must be a resident of such municipality, be a man of probity and good character, and not less than thirty years of age; he shall give his whole time to the duties of his office. A partial enumeration of these duties is as follows: He shall keep a constant watch over the bridges, sewers, streets, and public ways to the end that when the same indicate the want of necessary repairs, he may, without delay, make report thereof to the legislative council, or to the president of the board of fire and police commissioners, so that timely repairs may not be neg-

lected for the want of information as to the necessity of such repairs. He shall inspect the material used upon all public works, and see that the same is according to contract. It shall be his duty to keep vigilant watch on all work being done in his department, to the end that laborers and contractors may faithfully and diligently perform the work about which they are engaged, and that the city of Memphis may not be wronged or injured by defective work done or material used in his department; and it shall be his general duty to see, as far as practicable by strict supervision and scrutiny, and by reports and recommendations, that the revenues of that department are used and expended faithfully, judiciously, and to the best advantage of the municipality. He shall make report in writing to every regular meeting of the legislative council of such matters as he thinks require attention, and before the close of each year, and as early as the last of December, he shall report all work of an urgent character for the ensuing year, and report a general scheme or plan for improvements and repairs in his department, in which report he shall neglect no section or part of the city, but faithfully consider and report the necessities of every part thereof. Besides the usual oath of office he shall take a special oath to look alone to the welfare of the entire city, and to show no favor, bias or partiality to any section thereof, and a breach of this oath shall subject him to punishment for perjury as other offenses of that kind are now punished by the law in force on that subject. He shall inform himself as to the price at which all work in his department is being done, and of the costs of material used, and see that no bad material is used, and that no work is neglected or slighted, and make due report of any omission or wrongful act touching the performance of said work, either as to material furnished or labor performed. He shall keep the city engineer advised of all matters to which he thinks his attention ought to be specially called, but shall perform none of the duties of that officer, the intention being that he shall perform duties in addition to those now performed by the engineer, and to give the public an additional safeguard and assurance that the people will get the full benefit of the money expended for the work in his department.

SEC. 10. *Be it further enacted*, That this act take

effect from and after its passage, the public welfare requiring it.

Passed April 1, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 85.

AN ACT appointing trustees for Rocky Spring Academy, in Sevier County, Tennessee, and authorizing said trustees to sell said academy, and invest the proceeds thereof.

Trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That James M. Sharp, James Robinson, W. H. Creswell, W. H. Wayland, T. D. Chandler be, and they are hereby, appointed trustees of Rocky Spring Academy, in Sevier County, Tennessee.

Power to sell  
and invest pro-  
ceeds.

SEC. 2. *Be it further enacted,* That said trustees be, and they are, authorized and empowered to sell said academy and grounds, and invest the proceeds thereof in the purchase of other school-property, either in sites or in the construction of buildings for the use and benefit of the public schools in the civil district in which said academy is now located; but before said sale, they shall advertise the time and conditions of said sale in a newspaper published in said county, and also by written posters, for a term of thirty days. The terms of sale shall be such as may be agreed on by said trustees, and deemed best for the promotion of the public good.

Organize.

SEC. 3. *Be it further enacted,* That as soon as practicable after the passage of this act, said trustees herein appointed shall meet and organize by electing a chairman, a secretary, and a treasurer, and make such rules and regulations for the government of their meetings as may be necessary to carry out the purposes of this act.

SEC. 4. *Be it further enacted*, That said trustees <sup>Term of office.</sup> herein appointed shall hold their offices for a term of four years from the date of the passage of this act; any vacancy occurring in said board, of any reason, shall be filled by the county court at a quarterly term thereof, and said court shall also elect new trustees for said property, if desired, on the expiration of the term of those appointed by this act.

SEC. 5. *Be it further enacted*, That the treasurer, <sup>Treasurer.</sup> when elected as provided for in Section 3 of this act, shall be required to give bond, with good and solvent security, in double the amount of the funds which may, at any time, come into his hands as such treasurer, said bond and security to be approved by the board.

SEC. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 86.

AN ACT to authorize the city of Memphis to issue sixty thousand dollars (\$60,000) of market-house bonds, and to secure the same by a mortgage of its market-house grounds, for the purpose of erecting buildings thereon, and otherwise improving the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the city of Memphis be, and the same is hereby, authorized to issue sixty thousand dollars (\$60,000) of coupon bonds, to be des- <sup>Bonds—pay-  
ment, maturity,  
interest, au-  
thentication.</sup>

ignated as "Market-house bonds," payment whereof shall be secured in the manner hereinafter shown. One-third of said bonds shall mature in twenty (20) years from date, one-third in twenty-five (25) years from date, and the remaining one-third in thirty (30) years from the date thereof. They may be made payable, principal and interest, at such place as the legislative council shall determine, and may bear interest, not to exceed six per cent. per annum, payable semi-annually, and evidenced by attached coupons. Said bonds shall be signed by the president and secretary of the board of fire and police commissioners, and said coupons shall be authenticated by the lithographed signature of said president.

Not sold below  
par; use of pro-  
ceeds.

SEC. 2. *Be it further enacted*, That said bonds shall, in no case, be sold at less than par, and that the proceeds shall be used exclusively for the erection of a market-house and other improvements of the grounds in and belonging to said city, being on the north side of Beale street, between Hadden avenue and Hernando street, such building and improvements to be erected and made according to such plans and specifications as the legislative council may determine and direct.

Trust deed and  
sinking fund.

SEC. 3. *Be it further enacted*, That to secure the payment of the principal and interest of said bonds, said legislative council is hereby authorized to execute a trust deed, in the usual form, upon the market-house ground aforesaid, upon the buildings and improvements thereon erected and to be erected by and with the proceeds of said bonds, and upon the income and revenues of said market-house property so far as the same may be necessary to pay the interest on said bonds, and to provide a sinking fund, as hereinafter indicated, for the payment of said bonds at maturity. For the purpose of creating such sinking fund, said trust deed shall provide that, after setting aside and applying enough of the net income and revenues of said market-house property to pay the accruing interest on said bonds, so much of the net income and revenues therefrom shall be annually set aside and used exclusively as a sinking fund as will be sufficient to pay and retire each of said series of bonds as the same shall mature. Said sinking fund may, before the maturity of said bonds, be applied to the purchase thereof, if they can be bought upon terms satisfactory to the legislative council, or, if they cannot be so bought, it may be invested in other public securities,

and applied to the payment of said bonds at maturity.

SEC. 4. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 87.

AN ACT for the benefit and support of the Tennessee Confederate Soldiers' Home.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of seven thousand five hundred dollars be, and is hereby, appropriated out of the current revenue of the state for the benefit of the Confederate Soldiers' Home, to be expended by the trustees of said home as follows: For balance due for the erection of the main building and pumping station, not more than \$2,798.71; for completing floor of basement of the main building, not more than \$400; for grading grounds and making road in front of the main building, not more than \$801.29; for building hospitals, commissary, and cow-house, not more than \$3,500. And the comptroller of the state is hereby directed to draw his warrant upon the treasurer of the state in favor of the trustees for the payment of said sum, as the same may be demanded. Whenever any warrant from the comptroller is drawn, a specific and fully itemized statement shall be filed with the comptroller, showing the items of expenditures made or to be made, and the full amount shall not be expended for any of the above purposes set out, unless it become necessary in the judgment of the trustees.

SEC. 2. *Be it further enacted*, That for the support and maintenance of said Soldiers' Home for the years 1893 and 1894, the sum of fifteen thousand dollars be, and is hereby, appropriated out of the current revenue of the state, seven thousand five hundred dollars to be paid each year on the demand of the trustees of the home, and the comptroller is directed to issue his warrant accordingly.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 88.

AN ACT to authorize the board of mayor and aldermen of the town of Morristown, in the county of Hamblen, State of Tennessee, to issue and sell coupon bonds of said town, in a sum not to exceed forty thousand dollars, the proceeds hereof to be applied to the construction and equipment of water-works for said town, and to provide for the management of such water-works.

May issue water-  
works bonds—  
amount.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the board of mayor and aldermen of Morristown, in Hamblen County, Tennessee, be, and they are hereby, authorized and empowered in their corporate capacity to issue and sell coupon bonds of said town, bearing interest at the rate of six per cent. per annum, payable at the office of the treasurer of said town, in said town, semi-annually, on the fifteenth day of January and July of each year, in a sum not to exceed forty thousand dollars (\$40,000), the proceeds of the sale of such bonds to be applied to the construction of a system of water-works for said town, including the acquisition of such water privileges, rights of way, and real es



tate as may be found necessary for the proper construction and utility of such water-works.

SEC. 2. *Be it further enacted*, That before such bonds shall be issued, said board of mayor and aldermen shall, by ordinance, order an election to ascertain the wishes of the voters of said town on the subject of issuing such bonds. Such elections shall be advertised by the chief marshal of the town by printed posters for at least thirty days before the day of holding same. It shall be held at the usual place of holding corporation elections by said chief marshal. All persons entitled to vote for mayor and aldermen of said town shall be entitled to vote in said election. Those favoring the issuance of such bonds shall have written or printed on their tickets the words "For bonds." Those opposed shall have written or printed on their tickets the words "Against bonds." Said chief marshal, together with the judges and clerks of said election, shall certify the result thereof to the board of mayor and aldermen of said town, at its regular meeting next following the date of such election. If it shall appear that at said election as many as two-thirds of those voting voted for bonds, then said board shall have power and authority to issue said bonds. But if less than two-thirds of those voting at said election vote for bonds, then said board shall not have authority to issue said bonds.

Election as to  
issuance—pro-  
visions respect-  
ing.

SEC. 3. *Be it further enacted*, That such bonds shall be of the denominations of \$100, \$500, and \$1,000, or either of said denominations, to be determined by said board of mayor and aldermen. It shall be shown on the face of said bonds that they are Morristown water-works bonds. It shall be recited on the face of said bonds that they are issued under the authority of this act, which shall be referred to by date of approval and chapter. Such bonds shall, in all other respects, be in the usual forms of bonds of like character, and shall be signed by the mayor and recorder, under the seal of the corporation. The principal thereof shall be payable at any time after the end of ten years, or may run thirty years, at the option of said board of mayor and aldermen of Morristown.

Denominations,  
recital, pay-  
ment.

SEC. 4. *Be it further enacted*, That before the election provided for in section eleven of this act shall be ordered or held, said board of mayor and aldermen shall secure proper options on water privileges, rights of way, and needed real estate, and shall cause needed

Options to be  
secured.

Estimated cost  
to be published.

surveys to be made by a competent engineer, and estimate of the cost of all needed machinery, material, and cost of construction, the probable cost of all of which shall be published before said election in some newspaper published in said town, and a copy of such publication shall be preserved among the records of the corporation; but this section shall be held to be directory and not mandatory.

Commissioners.

SEC. 5. *Be it further enacted*, That before such bonds are placed upon the market, the mayor shall nominate three water-works commissioners for said town, one to serve for one year, one for two years, and one for three years from the date of their qualification, and at the end of each, subject to confirmation by the aldermen. A year thereafter said mayor shall nominate one water-works commissioner to take the place of the one whose term expires, subject to the confirmation by the aldermen. Said board of mayor and aldermen shall, before nominating such commissioners, fix their salaries, which may be changed at the end of any entire year; and shall provide for such bonds from said commissioners for the faithful discharge of their duties as they shall deem suitable. Such commissioners shall be residents within the corporate limits of said town, and owners in their own right each of not less than \$1,000 worth of real estate in said town. No person holding any other office pertaining to said town shall be eligible as such commissioner. Before entering upon their duties, said commissioners shall take and subscribe an oath for the faithful discharge of their duties, and to render true and faithful accounts of all moneys and property that may come into their hands as such commissioners.

Commissioners  
—duties.

SEC. 6. *Be it further enacted*, That it shall be the duty of said commissioners so first elected to take charge of the bonds herein provided for, and place the same upon the market, and sell such amount thereof as shall be found necessary to construct and equip the water-works for the town. They shall enter into all necessary contracts for the construction and equipment of said water-works including engineering work. The proceeds of the sale of bonds so made by them, if sold for cash, shall be passed to the treasurer of said corporation, to be held by him as a separate fund to be paid out by him upon the proper order of the chairman of said water-works commission. But said com-

missioners may sell said bonds, or any part thereof, in payment for machinery, material, or any thing necessary to be used or done in the construction of said water-works, but said bonds shall not be sold for less than their par or face value. Said commissioners first elected shall locate, through their engineers, the lines of main and other pipes, the fire-plugs and public fountains, and shall have all needed power and authority to construct and complete said system of water-works according to the meaning and intent of this act. They shall make written report of all their transactions at the end of each three months, from the date of their election, to the board of mayor and aldermen. Any one of said commissioners may be removed from office and his place declared vacant by the vote of the board of mayor and aldermen, upon proof of malfeasance or misfeasance in said office; in which event, the place of such commissioner shall be filled for the unexpired term by said board of mayor and aldermen.

Removal of  
commissioners—  
cause.

SEC. 7. *Be it further enacted*, That after the completion of said system of water-works, said commissioners shall have charge and supervision thereof, and shall have power to make contracts necessary to the operation thereof, and, through their secretary, shall collect all water rates, and turn the same over to the treasurer of said town, to be kept by him as a separate fund, to be applied to the operation of said water-works, and any surplus above such operating expenses to be applied exclusively to the payment of the interest and principal of the bonds herein provided for, until the same shall be entirely liquidated.

Commissioners  
—additional du-  
ties.

SEC. 8. *Be it further enacted*, That said commissioners shall fix the rates at which all persons using water from the water-works shall be charged for the same. They shall elect one of their number as chairman, and another as secretary. A majority of these shall constitute a quorum. All matters to be determined by them shall be determined by a majority vote. Said commissioners shall keep a record of their transactions in properly prepared, bound books, which shall be kept subject to inspection of any and all citizens of Morristown on demand.

SEC. 9. *Be it further enacted*, That it shall be the duty of the board of mayor and aldermen to levy, each year, a tax, to be known as the "Water-works Bond Tax," sufficient, with the earnings or income of

Tax and sinking  
fund.

said water-works, to meet the accruing interest on the bonds herein provided for, and also a sinking fund of five hundred and fifty dollars per annum to meet the principal of said bonds at maturity. Which sinking fund shall be placed in the hands of the sinking fund commissioners of said town, to be by them loaned at interest, compounded annually, as now provided by law for other sinking funds. But if less than forty thousand dollars of the bonds herein provided for shall be issued, then said board of mayor and aldermen shall provide a sinking fund proportionately less than five hundred and fifty dollars, so as to provide the necessary sinking fund.

SEC. 10. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 89.

AN ACT to provide revenue for the State of Tennessee and the counties thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the state tax on every one hundred dollars' worth of taxable property shall be forty-five cents for the year 1893, and for every subsequent year thereafter, thirty cents of which shall be for state purposes and fifteen cents for school purposes.

State property  
tax.

County courts  
authorized to  
levy tax; pro-  
visions.

SEC. 2. *Be it further enacted*, That the several county courts of this state be, and they are hereby, authorized and empowered to levy an annual county tax on every one hundred dollars' worth of taxable property, not exceeding the state tax, and exclusive of the tax for public roads and schools and interest on county

debts, and other special purposes, except as herein-after otherwise provided; *Provided*, That no county in this state shall levy more than one privilege tax on merchants, and that not more in the aggregate than the privilege tax levied by the state; *Provided*, Any county which has issued bonds, and is required by the act of the legislature authorizing the issuance of such bonds to levy a tax on privileges for the purpose of paying such bonds, may continue to levy a special privilege tax for this purpose not to exceed the state tax.

SEC. 3. *Be it further enacted*, That all merchants shall pay *ad valorem* tax upon the average capital invested by them of forty-five cents on the one hundred dollars, thirty cents of which shall be for state purposes and fifteen cents for school purposes, and a privilege tax of twenty cents on each one hundred dollars' worth of taxable property, ten cents of which shall be for school purposes and ten cents for state purposes; *Provided*, That such privilege tax for state purposes, without regard to the length of time they do business, shall, in no case, be less than five dollars, which five dollars is to be paid when the license is taken out; and, in case of those whose privilege tax amounts to more than five dollars, the five dollars paid shall be a credit when the balance of the tax is paid.

Merchants' tax ;  
proviso.

SEC. 4. *Be it further enacted*, That the rate of taxation on the following privileges shall be as follows, per annum, in each county in which the privilege is exercised. When the population is referred to, it shall be controlled by and referred to the Federal census of 1890:

Privileges.

#### ABSTRACT COMPANIES.

In cities, towns, or taxing districts of 30,000 inhabitants or over, each, per annum....\$	100 00
In cities, taxing districts, or towns of 10,000 to 30,000 inhabitants, each, per annum..	25 00
In cities, taxing districts, or towns of less than 10,000 inhabitants, each, per annum .....	15 00

#### ARTISTS AND PHOTOGRAPHERS.

In cities, towns, and taxing districts of over 50,000 inhabitants, each, per annum, \$	75 00
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In cities, towns, and taxing districts of over 25,000 and under 50,000 inhabitants, each, per annum.....\$	50 00
In cities, towns, and taxing districts of 10,000 to 25,000 inhabitants, each, per annum.....	25 00
In cities, towns, and taxing districts of 5,000 to 10,000 inhabitants, each, per annum.....	20 00
In cities, towns, and taxing districts of 3,000 to 5,000 inhabitants, each, per annum.....	15 00
In cities, towns, and taxing districts of from 1,000 to 3,000 inhabitants, each, per annum.....	10 00
In incorporated towns of less than 1,000 inhabitants.....	6 00
In counties outside of incorporated cities or taxing districts.....	5 00
Persons other than artists or photographers of this state, soliciting pictures to be enlarged outside of this state, each, per annum.....	25 00

#### ARCHITECTS.

Architects, civil and mining engineers, each, per annum.....\$	25 00
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#### AUCTIONEERS.

In cities, taxing districts, or towns of 8,000 inhabitants or over, each, per annum....\$	50 00
In cities, taxing districts, or towns of less than 8,000 inhabitants, each, per annum,	10 00

#### AUCTION, BROKERAGE, AND COMMISSION MERCHANTS.

The same as charged other merchants.

#### BANKS AND BANKING AND INSURANCE COMPANIES DOING BANKING BUSINESS.

Each bank and banking association shall pay a privilege tax of one dollar on each one thousand dollars of its capital stock and surplus.

Banks operating under special charters, shall pay according to the provisions of their charters.

BILLIARDS.

See *Games*.

BILL-POSTERS, CARD-TACKERS, AND CIRCULAR DISTRIBUTORS.

In cities, towns, or taxing districts of 30,000 inhabitants, or over, each, per annum.....	\$ 75 00
In cities, taxing districts, or towns of 10,000 to 30,000 inhabitants, each, per annum.....	30 00

BOARDING-HOUSES.

(Kept for transient customers.)

In cities, taxing districts, or towns of 8,000 inhabitants, or over, for each room, except dining-room, kitchen, and two others, each, per annum.....	\$ 2 00
In cities, taxing districts, or towns of 3,000 to 8,000 inhabitants, for each room, except dining-room, kitchen, and two others, each, per annum.....	1 50
In cities, taxing districts, or towns of less than 3,000 inhabitants and more than 1,000 inhabitants, for each room, except dining-room, kitchen, and two others, each, per annum.....	50
See <i>Hotels</i> also.	

BOOK-MAKERS AND RACE-TRACKS.

See *Race-tracks and Book-makers*.

BREWERS AND BOTTLERS.

Brewers shall pay each, per annum... ..	\$ 200 00
(The above tax shall apply to local agents for breweries selling or delivering beer to the trade in this state.)	
Each bottler or bottling association.....	50 00

BROKERS.

Other than real estate or merchandise paying tax as bankers..	
In cities, taxing districts, or towns of 8,000 inhabitants or over, each, per annum....	\$ 300 00

In cities, taxing districts, or towns of 3,000 to 8,000 inhabitants, each, per annum....\$	100 00
In cities, taxing districts, or towns of less than 3,000 inhabitants, each, per annum	50 00
For Brokers on Real Estate, see <i>Real Estate Brokers and Agents</i> .	

#### BUTCHERS.

This includes all offices, stalls, and stores for the sale of fresh meat at retail.

In cities, taxing districts, or towns, or adjacent thereto, of 20,000 inhabitants or over, each, per annum.....\$	25 00
In cities, taxing districts, or towns, or adjacent thereto, of 10,000 to 20,000 inhabitants, each, per annum.....	20 00
In cities, taxing districts, or towns, or adjacent thereto, of from 5,000 to 10,000 inhabitants, each, per annum.....	15 00
In cities, taxing districts, or towns, or adjacent thereto, of from 1,000 to 5,000 inhabitants, each, per annum.....	10 00

#### WHOLESALE BUTCHERS OR DEALERS.

This shall apply only to cold storage companies.

In cities, taxing districts, or towns of 50,000 inhabitants or over, each, per annum.....\$	1,000 00
In cities, taxing districts, or towns of less than 50,000 inhabitants, each, per annum	300 00

#### CEMETERIES.

Individuals, companies, or corporations, firms, or joint-stock companies owning cemeteries for profit, shall pay the following taxes:

In counties of over 50,000 inhabitants, each, per annum.....\$	25 00
In counties of from 20,000 to 50,000 inhabitants, each, per annum.....	15 00
In counties of from 10,000 to 20,000 inhabitants, each, per annum.....	10 00
In counties of less than 10,000 inhabitants, each, per annum.....	5 00



# CIGAR STANDS.

Charged as other merchants.

## CIRCUSES AND EXHIBITIONS.

Circuses and exhibitions given by any portion of a circus, whether horses are used or not, each day and night, or day or night, each.....	\$ 200 00
Menageries, each day and night, or day or night.....	200 00
Circuses and menageries combined, each day and night, or day or night, each .....	200 00
Side-shows and other shows and concerts in connection with the above, taxed separately under their appropriate heads, if they charge separate or an additional entrance-fee, sleight-of-hand, legerdemain, each day and night, or day or night, each.....	20 00
Other exhibitions for profit (except circuses, menageries, theaters, etc.), except exhibitions for purely charitable purposes and those given by amateur or home troupes, each day and night, or day or night, each.....	10 00
Per month.....	100 00
Shows or exhibitions in the nature of a circus or menagerie, other than a regular circus or menagerie, shall pay a state tax for each day and night, or day or night, each.....	50 00
Per month .....	500 00

## COAL AND COKE AGENTS OR DEALERS.

(Who sell by car load or larger quantities.)

In cities, towns, or taxing districts of 30,000 inhabitants or over, each person, firm, agency, or corporation.....	\$ 50 00
In towns, cities, or taxing districts of over 5,000 and up to 30,000 inhabitants, each person, firm, agency, or corporation.....	25 00
In towns, cities, or taxing districts of less than 5,000 and over 1,000 inhabitants....	10 00

**COMMERCIAL, MERCANTILE, COLLECTION, OR MUTUAL  
BENEFIT OR PROTECTIVE AGENCIES.**

In cities, taxing districts, or towns of 20,-  
000 inhabitants, or over, each office, per  
annum..... \$ 150 00

In cities, towns, or taxing districts under  
20,000 inhabitants, on each office, per  
annum..... 100 00

But nothing herein contained shall be so construed  
as to include state, county, or district agencies of  
agricultural or horticultural associations who sell the  
products and buy the supplies of their members for  
only commission enough to pay the expenses of such  
agencies, and not for profit.

**CONSTRUCTION COMPANIES.**

Each company organized under the laws  
of this state, or doing business within  
this state, per annum..... \$ 100 00

**COTTON MERCHANTS.**

Cotton commission merchants, factors, bro-  
kers and buyers (not paying tax as mer-  
chants in the county in which said buy-  
ing is done), each person, firm, company,  
or corporation, in cities, towns or taxing  
districts of 20,000 inhabitants or over... \$ 40 00

Each person, firm or corporation in cities,  
towns, or taxing districts of 10,000 in-  
habitants, and not over 20,000..... 25 00

Each person, firm, company, or corpora-  
tion in cities, towns, or taxing districts  
of less than 10,000 inhabitants..... 10 00

**COTTON COMPRESSES.**

Taxed as other property, and compresses  
pressing one bale, and under 5,000 bales,  
per annum..... \$ 50 00

Five thousand and under 20,000 bales, per  
annum..... 75 00

Twenty thousand and under 50,000 bales  
per annum ..... 100 00

Fifty thousand and under 100,000 bales per  
annum. .... 200 00

One hundred thousand and under 200,000  
bales, per annum.....\$ 250 00

And an increase in tax in proportion as the number  
of bales increases above 200,000.

# COAL-OIL AND ILLUMINATING OIL COMPANIES, FIRMS, OR LOCAL AGENTS.

To be taxed as other merchants are under Section 3.

## COTTON-SEED OIL MILLS.

Shall pay on two-press mill.....\$	20 00
Shall pay on three-press mill.....	30 00
Shall pay on four-press mill.....	40 00
Shall pay on five-press mill.....	75 00
Shall pay on six-press mill.....	120 00
Shall pay on seven-press mill.....	175 00
Shall pay on eight-press mill.....	240 00
Shall pay on nine-press mill.....	315 00
Shall pay on ten-press mill or over.....	400 00

## DEALERS IN LIVE-STOCK.

See *Stock Yards and Dealers in Stock.*

## DISTILLERS OF WHISKY AND BRANDY.

Distillers with a capacity of twenty barrels and over per day, per annum.....\$	250 00
Distillers with a capacity of from 10 to 20 barrels per day, per annum.....	150 00
Distillers with a capacity of from 5 to 10 barrels per day, per annum.....	70 00
Distillers with a capacity of under 5 bar- rels per day, per annum.....	5 00

## DUMMY RAILROADS.

Each, per annum, in counties of 50,000 in- habitants, or over.....\$	150 00
In counties of from 40,000 to 50,000 inhab- itants, each, per annum.....	100 00
Each, per annum, in counties of from 30,- 000 to 40,000 inhabitants.....	50 00
And all under 30,000 inhabitants.....	25 00

### EATING OR LUNCH HOUSES OR STANDS.

Other than hotels or restaurants, each, per annum. ....	\$ 10 00
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### ELECTRIC LIGHT COMPANIES.

In cities, taxing districts, or towns of 50,000 inhabitants or over, each, per annum\$	200 00
In cities, taxing districts, or towns of 30,000 to 50,000 inhabitants, each, per annum .....	100 00
In cities, taxing districts, or towns of from 20,000 to 30,000 inhabitants, each, per annum. ....	50 00
And all under 20,000 inhabitants, each, per annum . ....	25 00

### FEATHER RENOVATORS.

Persons, firms, or the agents of persons or firms engaged in cleaning or renovating feathers, in each county, each, per annum	25 00
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### FEES.

All parties, banking associations, or brokers, or their agents, making a business of buying, or attempting to buy the fees of any officers or witnesses, accruing in any of the courts of this state, shall pay tax as follows:

In counties of 50,000 inhabitants and over,	100 00
In counties of 40,000 to 50,000 inhabitants,	75 00
In counties of 20,000 to 40,000 inhabitants,	50 00

### FERRIES.

Except those run by hand with oars, when landings in this state are at or within five miles of taxing districts, cities, or towns.

At or within five miles of cities, towns, or taxing districts of 10,000 inhabitants or over, each, per annum.....\$	50 00
At or within five miles of cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum. ....	30 00
At or within five miles of cities, taxing districts, or towns of from 3,000 to 5,000 inhabitants, each, per annum.....	20 00

At or within five miles of cities, towns, or taxing districts of less than 3,000 inhabitants, each, per annum.....	\$ 15 00
All ferries taxable under this act more than five miles from a town, city, or taxing district .....	10 00

#### FLYING-JENNIES.

On each, per annum, in cities, towns, or taxing districts of 20,000 inhabitants and over.....	\$ 30 00
In cities, towns, and taxing districts from 10,000 to 20,000 inhabitants, each, per annum.....	25 00
In cities, towns, and taxing districts from 5,000 to 10,000 inhabitants, each, per annum .....	20 00
In cities, towns, and taxing districts from 2,000 to 5,000 inhabitants, each, per annum.....	15 00
In cities, towns, and taxing districts of less than 2,000 inhabitants, each, per annum,	10 00
In counties outside of towns, cities, and taxing districts .....	10 00

#### FORTUNE-TELLERS.

Each, per annum.....	\$ 100 00
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#### FRUIT-STANDS.

Taxed as other merchants.

#### FUTURES.

Dealers in futures, and brokers dealing in futures, whether actual delivery is intended or not, each person, firm, company, or corporation dealing in or doing a brokerage business therein, and each branch or agency of such firm, company, or corporation at any place in this state.. \$50,000 00

*Provided,* That nothing contained in this section shall be construed directly or indirectly to amend, repeal, or modify any criminal law of this state, or to exempt any person or persons from the penalty of violating any criminal law of this state; nor to license any person or persons to do any act or business in violation of any statute law of this state.

Criminal law not repealed.

### GAMES.

Billiard-tables, pool-tables, bagatelle-tables, Jennie Lind tables, and ten-pin alleys, roller coasters, on each, in cities, taxing districts, or towns of 20,000 inhabitants, or over, each, per annum .....	\$ 40 00
In cities, taxing districts, or towns of 10,000 to 20,000 inhabitants, each, per annum.....	25 00
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum..	20 00
In cities, taxing districts, or towns between 2,000 and 5,000, each, per annum.....	15 00
In cities, towns, or taxing districts of less than 2,000 inhabitants, each, per annum,	10 00
In counties outside of towns, cities, and taxing districts, each, per annum.....	10 00
All devices used by persons as a source of profit to themselves, such as throwing at wooden figures, or any other object, throwing rings or any other device of like nature, and striking an object to test the strength, and blowing to test the lungs.....	10 00
And all nickel-in-the-slot machines.....	1 00

Saloon-keeper,  
etc., when to  
pay this tax.

And said tax shall be paid by every saloon-keeper or other person who keeps any of the above in connection with his or her business, and for the use of the public, whether the same is charged or not.

### GAS COMPANIES.

In cities, taxing districts, or towns of 40,000 inhabitants, or over, per annum.....	\$ 700 00
In cities, taxing districts, or towns of 30,000 to 40,000 inhabitants, per annum.....	350 00
In cities, taxing districts, or towns of 8,000 to 30,000 inhabitants, per annum.....	200 00
In cities, taxing districts, or towns of 5,000 to 8,000 inhabitants, per annum .....	75 00
In cities, taxing districts, or towns of 3,000 to 5,000 inhabitants, per annum.....	25 00
All under 3,000 inhabitants, each, per annum.....	15 00

### HOTELS AND TAVERNS.

In cities, taxing districts, or towns of 30,000 inhabitants or over, for each room,

except dining-room, kitchen, and two others, per annum.....\$	2 00
In cities, taxing districts, or towns of 10,000 to 30,000 inhabitants, for each room, except dining-room, kitchen, and two others .....	1 50
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, for each room, except dining-room, kitchen, and two others.....	1 00
In cities, taxing districts, or towns of less than 5,000 inhabitants, for each room, except dining-room, kitchen, and two others .....	50
Hotels kept at places for summer resorts to be taxed as other hotels, but may be paid quarterly.	
See <i>Boarding-houses</i> also.	

### HUCKSTERS.

Taxed as other merchants.

Persons who travel around their counties collecting up marketing—chickens, eggs, butter, rags, fruit, etc., and such things as they carry to market—are not subject to tax either as hucksters or peddlers, unless they are peddlers of merchandise also.

### ICE—DEALERS IN.

Each person or firm, or corporation selling imported or home ice to the trade:

In cities, taxing districts, or towns of 30,000 inhabitants or over.....\$	100 00
In cities, taxing districts, or towns of 8,000 to 30,000 inhabitants.....	75 00
In cities, taxing districts, or towns of 5,000 to 8,000 inhabitants.....	50 00
In cities, taxing districts, or towns of 2,000 to 5,000 inhabitants.....	25 00
In cities, taxing districts, or towns of 2,000 or less inhabitants.....	5 00
Each firm or person retailing or selling ice from any car running upon any railroad in this state (in lieu of all other taxes), to be paid in any county in the state through which the car runs, and in which such sale or sales may be made...	50 00

Retail ice-dealers running wagons in connection with their business.....	\$ 10 00
But in towns of less than 1,000 inhabitants no tax shall be charged to retail dealers in ice.	

#### INTELLIGENCE OFFICES.

Keepers of each, per annum .....	\$ 40 00
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#### INSURANCE AGENTS.

Each agent, agency, or firm writing or soliciting insurance in this state shall pay a state tax, in lieu of all other tax, of \$20.00 per annum, in counties of 50,000 inhabitants and over, to the treasurer of the state before license is issued to such agent or agency or firm, and in counties of less than 50,000 inhabitants shall pay, per annum, \$10; *Provided*, This shall not apply to fraternal associations organized for benevolent purposes.

#### ITINERANTS.

All persons, whether physicians or not, either selling medicines or advertising their services, or both, by appearing on the streets or elsewhere and making harangues for the purpose of advertising, as aforesaid, in each county, per annum, \$200.

#### LAND STOCK COMPANIES.

Which have a capital invested in said business of \$100,000 or more, shall pay a privilege tax, per annum .....	\$ 75 00
And those who have a capital of \$50,000 and less than \$100,000 shall pay, per annum.....	50 00
And having a capital of \$50,000 and less shall pay, per annum.....	25 00

#### LAUNDRIES, STEAM.

In cities, taxing districts, or towns of 20,000 inhabitants and over, each, per annum .....	\$ 100 00
In cities, taxing districts, or towns of 5,000 to 20,000 inhabitants, each, per annum..	50 00
All under 5,000 inhabitants, each, per annum.....	25 00



This shall apply to steam laundries run by hotels for profit.

Public laundries, other than steam, shall pay, each, per annum .....\$ 15 00

### LIGHTNING-ROD DEALERS OR AGENTS.

Each dealer or agent, each county, per annum.....\$ 100 00

### LIQUOR DEALERS.

Wholesale, each, per annum, and in addition taxed as other merchants.....\$ 300 00

Retail, taxed as other merchants, and in addition, shall pay as follows:

In cities, taxing districts, or towns of 5,000 inhabitants or over, each, per annum .... 200 00

At any place, city, taxing district, or town of less than 5,000 inhabitants, per annum..... 150 00

The procuring of United States internal revenue license to retail liquor shall be held as *prima facie* evidence that the parties are in the retail liquor business, and are subject to state and county tax, unless established by proof that they are not so engaged. Persons selling liquors in quantities of one quart or more, except manufacturers selling to dealers in original packages of not less than five gallons, are wholesale dealers, and persons selling in smaller quantities than five gallons are retail dealers; and the above tax on liquor dealers applies to all druggists, except in uses of wine for sacramental purposes and alcohol for domestic purposes. Persons selling beer or any character of liquors on steam-boats, flat-boats, or other vessels or water-craft, or from railroad cars, shall pay a tax of, per annum, \$300, in lieu of all other taxes, to be paid in any county they may elect.

Wholesale and retail liquor dealers defined.

Selling on boats, etc.

### LITIGATION.

Each suit in law or equity in courts of record, to be paid by the unsuccessful party.\$ 2 50

Each indictment or presentment..... 5 00

Each appeal to supreme court..... 7 50

Each appeal, or writ of error, or certiorari from a circuit or chancery court to the Supreme Court..... 5 00

Each appeal on certiorari from a justice of the peace.....	\$	2 50
Each case before a mayor's or recorder's court, or before any police court having jurisdiction of offenses in any taxing district in the State; <i>Provided</i> , Such tax can be collected in money.....		1 00

Taxed as costs;  
officer to report.

All of the above taxes shall be taxed in bills of costs, and are hereby declared part of the costs in the case, and the officer holding the police courts in the towns and cities and the taxing districts of this state, shall report the amount collected by them every ninety days, and pay the same over to the clerk of the county court, taking duplicate receipts, one of which shall, without delay, be forwarded to the comptroller.

Exceptions.

No tax shall be paid on applications for a dower or homestead, and no tax on applications of guardians to sell property for maintenance of wards, or on applications for partition, and no tax on suits brought by state, county, or municipality to collect taxes.

The clerks of the county, circuit, and chancery courts shall report to the state comptroller as provided in Chapter 91 of the Acts of 1875.

#### LIVERY, SALE, AND FEED STABLES.

On each stall, per annum, in cities, towns, and taxing districts of 3,000 inhabitants, or over.....	\$	0 50
On each stall, per annum, in cities, towns, and taxing districts of less than 3,000 inhabitants.....		25

And this tax to be paid in addition to the tax on vehicles, as hereinafter provided for, under the head of vehicles.

#### LUMBER DEALERS.

Lumber dealers, who buy and sell sawed lumber, and dealers in saw-logs and staves, must pay privilege and *ad valorem* tax as merchants; *Provided*, That merchants who also deal in lumber shall pay only one privilege tax.

#### MARRIAGE LICENSE.

Each, for school purposes, and the tax to be kept in the county .....	\$	1 00
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### MINERAL WATERS.

Individuals, firms, or corporations shipping mineral or other waters for profit, each, per annum .....	\$ 5 00
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### PARKS.

Public parks (where visitors are charged an admission fee), each, per annum.....	\$ 100 00
Base-ball parks (where an admission fee is charged), each.....	100 00

### PAWNBROKERS.

In cities, towns, or taxing districts of 8,000 inhabitants or over, each, per annum....	\$ 100 00
In cities, towns, or taxing districts of 3,000 to 8,000 inhabitants, per annum.....	75 00
In cities, towns, or taxing districts under 3,000 inhabitants, each, per annum.....	25 00
In counties (not in towns, cities, or taxing districts).....	10 00
And, in addition, they shall pay a tax as other merchants.	

### POOL-SELLERS.

Each person, corporation, firm, or company engaged therein, each, per annum..	\$ 250 00
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### PEDDLERS.

Buying or selling for profit, or both.	
If on foot, in each county, each, per annum.....	\$ 15 00
If with horse or vehicle, in each county, each, per annum.....	30 00
If with more than one horse, for each additional horse, in each county, each, per annum.....	12 00
Of patent medicines and nostrums, if on foot or horse, in each county, each, per annum.....	60 00
Of patent medicines and nostrums, if with horse and wagon, in each county, each, per annum.....	150 00
Peddlers of patented articles and school apparatus—maps, charts, and other ar-	

ticles—if on foot, in each county, each, per annum.....	\$ 15 00
If with horse or vehicle, in each county, each, per annum.....	30 00
If with more than one horse, for each ad- ditional horse, in each county, each, per annum.....	12 00

#### PLUMBERS AND GAS-FITTERS.

Charged as merchants.

#### RACE-TRACKS AND BOOK-MAKERS.

Tracks of one mile or more, each, per an- num .....	\$ 300 00
Tracks of half-mile, each, per annum.....	150 00
Tracks of one-quarter mile; each, per an- num.....	25 00
Book-makers on horse racing, each agent, firm, or person, corporation or firms, in each county, each, per annum.....	50 00

#### RAILROAD TICKET AGENTS AND SCALPERS.

Except agents actually on line of railroads.

In cities, towns, and taxing districts of over 8,000, per annum.....	\$ 75 00
In cities, towns, and taxing districts under 8,000, and in counties, per annum.....	20 00

#### REAL ESTATE DEALERS, BROKERS, AND AGENTS.

In cities, towns, and taxing districts of 8,000 inhabitants or over, each.....	\$ 25 00
In cities, towns, and taxing districts of 3,000 to 8,000 inhabitants, each, per an- num.....	12 00
In cities, towns, and taxing districts of less than 3,000 inhabitants, each, per annum,	5 00

And in addition thereto, they shall pay one per cent. on commissions, and shall file bonds as required of merchants.

#### RESTAURANTS.

Same as hotels on each room, and in addition as follows:

In cities, towns, and taxing districts of 8,000 inhabitants or over, each, per an- num.....	\$ 50 00
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In cities, towns, and taxing districts of 5,000 to 8,000 inhabitants, each, per annum.....	\$ 40 00
In cities, towns, and taxing districts of 1,000 to 5,000, each, per annum.....	15 00
In cities, towns, and taxing districts of less than 1,000 inhabitants and outside of towns, each, per annum.....	10 00

#### SECURITIES, DEALERS IN.

Other than banks or brokers in cities, towns, or taxing districts of 8,000 inhabitants or over, each, three cents on each dollar employed, but in no instance to be less than .....	\$ 30 00
In cities, towns, or taxing districts under 8,000 inhabitants, and in all counties (not in cities, towns, or taxing district), one and one-half cents on each dollar employed, but in no instance less than, per annum.....	20 00

#### SELLERS OF GOODS AT PUBLIC OUTCRY.

Each person or firm in each county (other than auctioneers), per annum.....	\$ 15 00
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#### SEWING MACHINES, DEALERS IN OR AGENTS.

Selling sewing machines, either directly or by sample, in counties of 50,000 inhabitants or over, in each county, each agent or dealer, per annum.....	\$ 100 00
Selling sewing machines, either directly or by sample, in counties of from 30,000 to 50,000 inhabitants, in each county, each, per annum.....	20 00
All under 3,000 inhabitants, each, per annum.....	10 00

Merchants selling sewing machines, upon which they pay a tax as on other merchandise, not to pay the tax required of sellers by sample; *Provided*, They sell the same in any one established business place.

#### SHAVING NOTES.

\*Taxed same as dealers in securities, stocks, and bonds.

### SHOOTING GALLERIES AND STANDS.

Each, per annum .....	\$	20 00
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### SKATING RINKS.

In cities, taxing districts, or towns of 8,000 inhabitants or over, each.....	\$	50 00
In cities, taxing districts, or towns of 3,000 to 8,000 inhabitants, each .....		20 00
In cities, taxing districts or towns of less than 3,000 inhabitants, each.....		10 00
In counties, not in cities, towns, or taxing districts .....		5 00

### STOCKS AND BONDS, DEALERS IN.

Other than bankers and brokers, taxed same as dealers in securities.

### STOCK-YARDS, STOCK PENS, ETC.

Stock-yards, stock-pens, and livery, feed, or sale stables having stock or mule pens in connection with their business, shall pay a privilege tax for state purposes, as follows :

In counties of 40,000 inhabitants or over, per square .....	\$	0 30
In counties of less than 40,000 inhabitants, persquare.....		20
Said squares need not be fenced. A square shall be 10 by 10 feet.		

### STREET-CAR COMPANIES.

In cities, taxing districts, or towns of 35,000 inhabitants or over, each, per mile...\$	10 00
In cities, taxing districts, or towns of 30,000 to 35,000 inhabitants, each, per mile	8 00
In cities, taxing districts, or towns of from 6,000 to 30,000 inhabitants, each, per mile	5 00
In cities, taxing districts, or towns of less than 6,000 inhabitants, each, per mile...	2 00

Each mile of track, whether single or double, also each mile of track outside the limits of any city, taxing district, or town is to be charged for under this act.

### THEATERS.

In cities, taxing districts, or towns of 40,- 000 inhabitants or over, each, per annum, \$	300 00
In cities, taxing districts, or towns of 30,- 000 to 40,000 inhabitants, each, per an- num.....	200 00
In cities, taxing districts, or towns of 10,- 000 to 30,000 inhabitants, each, per an- num.....	75 00
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum ..	50 00
In cities, taxing districts, or towns of 3,000 to 5,000 inhabitants, each, per annum....	25 00
In cities, taxing districts, or towns of less than 3,000 inhabitants, each, per annum,	20 00

### DEALERS IN THEATER TICKETS.

(Persons buying and offering for sale such tickets.)

In cities, taxing districts, or towns of 40,- 000 inhabitants or over, each, per an- num.....\$	100 00
In cities, taxing districts, or towns of 30,- 000 to 40,000 inhabitants, each, per an- num.....	50 00
In cities, taxing districts, or towns of 10,- 000 to 30,000 inhabitants, each, per an- num.....	25 00
In cities, taxing districts, or towns of 5,000 to 10,000 inhabitants, each, per annum ..	10 00
In cities, taxing districts, or towns of 3,000 to 5,000 inhabitants, each, per annum ...	5 00
In cities, taxing districts, or towns of less than 3,000 inhabitants, each per annum,	2 50

### TURNPIKES.

Each toll-gate on turnpikes that collect toll for both ways, per annum.....	12 00
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### TOMBSTONE DEALERS OR AGENTS.

In cities, taxing districts, or towns of 8,000 inhabitants or over, each, per annum. ...\$	20 00
In cities, taxing districts, or towns of 3,000 to 8,000 inhabitants, each, per annum ...	10 00
In cities, taxing districts, or towns of less	

than 3,000 inhabitants, or in counties,  
each, per annum.....\$ 5 00

*Provided*, No privilege tax shall be charged to traveling representatives of tombstone dealers except in the county in which their head-quarters are located.

#### UNDERTAKERS.

In cities, towns, or taxing districts of 8,000 inhabitants or over, each, per annum....\$	50 00
In cities, towns, or taxing districts of 3,000 to 8,000 inhabitants, each, per annum...	20 00
In cities, towns, or taxing districts of 1,000 to 3,000 inhabitants, each, per annum...	10 00

#### VARIETY THEATER ESTABLISHMENTS.

Each, per annum.....\$ 500 00

#### VEHICLES.

If run for profit within the limits of this state, without reference to the residence of the owner.

Drays, express-wagons, and carts (except those of express companies and butchers, paying a privilege tax, and except those of farmers or gardeners, who do not make a regular business of hauling for hire; also, except those manufacturers, hauling their own manufactured articles, except dealers delivering their goods), carts or wagons hauling coal or pig-iron as a business, shall pay, where drawn by one horse, each, per annum.....\$ 1 00

Where drawn by more than one horse, for each additional horse, each, per annum, 1 00

Hacks, carriages, or wheel vehicles, carrying passengers, that run for profit in this state, without reference to the residence of the owners, when drawn by one or more horses, each, per annum..... 5 00

Omnibuses and transfer-wagons, each, per annum..... 10 00

Additional tax  
for carrying ex-  
press matter.

Hacks or other vehicles carrying express matter of any character or value, in addition to the above, shall pay a tax of \$10 per annum in each county through which they may run, and the above tax on vehicles applies to all hacks, etc., whether carrying United



States mail or not, in each county through which they may run; and hacks or other vehicles carrying express matter must pay both taxes in each county through which they may run.

#### WAREHOUSE AND ELEVATOR COMPANIES.

Not paying a tax as commission merchants, in cities, towns, and taxing districts of 8,000 inhabitants or over, each, per annum .....	\$ 50 00
In cities, towns and taxing districts of less than 8,000 inhabitants and over 1,000 inhabitants, each, per annum.....	25 00

And this shall be instead of and cover all taxes for selling of produce or other articles stored in their warehouses by such warehousemen, but this shall not be so construed as to exempt commission merchants from taxation as provided by law.

#### WATER COMPANIES.

In cities, taxing districts, or towns of 35,000 inhabitants or over, each, per annum \$	800 00
In cities, taxing districts or towns of 25,000 inhabitants to 35,000 inhabitants, per annum.....	600 00
In cities, taxing districts, or towns of 8,000 to 25,000 inhabitants, per annum.....	300 00
In cities, taxing districts, or towns of 5,000 to 8,000 inhabitants, per annum.....	100 00

This tax shall apply to all municipal corporations running or operating water-works for profit and charging citizens for water.

SEC. 5. *Be it further enacted,* That the following corporations shall pay directly to the comptroller's office the following taxes on the following privileges, and for the faithful collection of the same, the comptroller is hereby required to enter into an additional bond in the penal sum of \$100,000.

Corporation tax to be paid comptroller; additional bond.

#### EXPRESS COMPANIES.

In lieu of all other taxes (except ad valorem tax), if the lines are less than 100 miles long, for one or more packages, other than interstate, taken up at one point in this state and transported to another

point in this state, and transported wholly within this state, per annum.....	\$ 500 00
If the lines are more than 100 miles long, for one or more packages, other than interstate, taken up at one point in this state and transported to another point in this state, and transported wholly within this state, per annum.....	2,000 00

#### SLEEPING-CAR COMPANIES.

(In lieu of all other taxes, except *ad valorem* taxes.)

Each company doing business in this state, for one or more passengers, other than interstate, taken up at one point in this state and delivered at another point in this state, and transported wholly within this state, per annum.....	\$ 1,800 00
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#### TELEGRAPH COMPANIES.

(In lieu of all other taxes, except *ad valorem* taxes.)

Each company operating 1,000 miles or more of telegraph wire in this state, for one or more messages, other than interstate, sent from one point in this state to another point in this state, and transmitted wholly within this state, and not sent in the service of the United States government, per annum .....	\$ 4,000 00
Each company operating from 300 to 1,000 miles of telegraph wire in this state, for one or more messages, other than interstate, sent from one point in this state to another point in this state, and transmitted wholly within this state, and not sent in the service of the United States government, per annum .....	1,000 00
Each company operating from 100 to 300 miles of telegraph wire in this state, for one or more messages, other than interstate, sent from one point in this state to another point in this state, and transmitted wholly within this state, and not sent in the service of the United States government, per annum.....	300 00

Each company operating from 25 to 100 miles of telegraph wire in this state, for one or more messages, other than interstate, sent from one point in this state, and transmitted wholly within this state, and not sent in the service of the United States, per annum .....	25 00
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#### RAILROAD COMPANIES.

(Not paying an *ad valorem* tax to the state.)

Each company operating or controlling 400 miles or more of road in this state, for taking up and transporting freight and passengers from one point to another in this state, per annum.....	\$10,000 00
Each company operating or controlling from 100 to 400 miles of road in this state, for taking up and transporting freight and passengers from one point in this state to another point in this state, per annum.....	5,000 00
Each company operating or controlling from 25 to 100 miles of railroad in this state, for taking up and transporting freight and passengers from one point in this state to another point in this state, per annum.....	1,000 00
Each company operating or controlling less than 25 miles of railroad in this state, for taking up and transporting freight and passengers from one point in this state to another point in this state, per annum.....	100 00

#### RAILROAD TERMINAL COMPANIES.

In counties of 90,000 inhabitants or over...\$	500 00
In counties of 70,000 inhabitants or over, and up to 90,000 inhabitants.....	400 00
In counties of 50,000 inhabitants or over, and up to 70,000 inhabitants.....	300 00

*Provided*, This act, as to terminal companies, shall not take effect until the first of January, 1894.

When effective as to terminal companies.

#### TELEPHONE COMPANIES.

Each, per box, for business done within the state other than interstate, per annum..\$	50
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## NEWS COMPANIES.

In lieu of all other privilege taxes for doing business, other than interstate, per annum .....\$ 500 00

Insurance companies.

SEC. 6. *Be it further enacted*, That all insurance companies shall pay directly to the insurance commissioner the following taxes, which shall be in lieu of all other taxes :

Life and accident (foreign companies of other states), other than assessment and co-operative companies or associations, two and one-half per cent. on gross premium receipts, payable semi-annually, January and July.

Assessment and co-operative life and accident companies or associations, \$200 per annum. But these provisions shall not apply to fraternal societies.

Fire (foreign, and companies of other states), other than mutual fire companies, two and a half per cent. on gross premium receipts, payable semi-annually, January and July.

Home fire and life (other than mutual fire companies), one and a half per cent. on gross premium receipts, payable semi-annually, in January and July.

Home mutual fire companies, \$150 per annum.

All agents, etc., taxed as hereinbefore provided in this act.

Inheritance tax

SEC. 7. *Be it further enacted*, That all property which shall pass by will or by intestate laws of this state from any person who may die seized or possessed of the same while a resident of this state, or if such decedent was not a resident of this state at the time of his death, which property, or any part thereof, shall be transferred by deed, grant, sale, or gift, made or intended to take effect, in possession or enjoyment, after the death of the grantor or bargainor, to any person or persons or to any body-politic or corporate, in trust or otherwise, or by reason whereof any person or body-politic or corporate shall become beneficially entitled, in possession or expectancy, to any property, or the income thereof, other than to or for the use of his or her father, mother, husband, wife, child, grandchild, brother, sister, the wife or widow of a son, or husband of a daughter, or any child or children adopted as such in conformity with the laws of the state of Tennessee, by reason whereof any such person or persons or corporation shall become benefi-

cially entitled, in possession or expectancy, to any such property or to the income, shall be and is subject to a tax of \$5 on every \$100 on the clear market value of such property, and after the same rate for any less amount, in lieu of all other taxes, except *ad valorem*, to be paid to the clerk of the county court for the use of the state, which shall be reported to the state comptroller as other state revenue; and all administrators, guardians, executors, and trustees shall be liable for any and all such taxes until the same shall have been paid.

To whom paid.

SEC. 8. *Be it further enacted*, That on all transfers of realty there shall be levied and paid, in lieu of all other taxes, a state tax of \$1 per \$1,000 on the consideration, which shall in no case be less than the value of the property, and which shall be collected by the clerk of the county court; and the county register is hereby required not to record said deed until the clerk certifies that the taxes have been paid.

SEC. 9. *Be it further enacted*, That every corporation, joint-stock company, or association, incorporated by or under any general or special law of this state, having capital stock divided into shares, shall pay to the secretary of the state, for the use of the state, which shall be reported to the state comptroller quarterly, a tax for the privilege of organizing, or, after organization, for the increase of their capital stock or for registration of their charters, as follows:

Corporations, etc., tax for organizing paid secretary of state.

Railroads of over 100 miles.....	\$ 100 00
Railroads of less than 100 miles.....	50 00
Street and dummy lines.....	50 00
Banks, building and loan associations, loan companies, trust companies, coal or coke companies, iron or steel companies.....	25 00
All other corporations.....	10 00

But this shall not apply to corporations for literary or religious purposes. The said tax shall be due and payable upon the incorporation of said corporation, joint-stock company, or association, or upon the increase of the capital thereof, or upon registration of charter; and no such corporation, joint-stock company, or association shall have or exercise any corporate powers until the said tax shall have been paid, and the secretary of state shall not file or record any charter, certificate of incorporation, or articles of association, or certify or give any corporation, joint-stock company, or association until the foregoing tax

When tax due, and other provisions.

has been paid, and no such company incorporated by any act of the legislature shall go into operation or exercise any corporate powers or privileges until said tax has been paid; and this act shall not be so construed as to levy a tax on corporations of any school maintained by the public school-fund of the state, or upon purely and wholly religious corporations.

Who must pay  
tax; exemp-  
tions.

SEC. 10. *Be it further enacted*, That any and all parties, firms, or corporations exercising any of the foregoing privileges, must pay the tax as set forth in this act for the exercise of said privileges, whether they may make a business of it or not, and this act shall not be so construed as to exempt any person, firm or corporation whatever exercising any of the foregoing privileges from the payment of the tax herein prescribed for the exercise of said privilege, except as herein provided, and except as provided in Chapter 121 of the Acts of 1869-70 exempting state and county fairs and their tenants; and it is hereby declared a misdemeanor for exercising any of the foregoing privileges without first paying the tax prescribed for the exercise of said privilege, and all parties so offending shall be liable for a fine of not less than \$50, nor more than \$500.

Penalty.

Revenue to be  
paid into treas-  
ury; exception.

SEC. 11. *Be it further enacted*, That all revenue collected under this act shall be paid into the treasury as is required by Section 765, Milliken & Vertrees' compilation of the laws of Tennessee, except as directed in Section 5 of this act as to taxes to be collected by the comptroller and be deposited by him as is required by Sections 259 and 260, Milliken & Vertrees' compilation of the laws of Tennessee.

SEC. 12. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed; and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 90.

AN ACT to defray the current expenses of the Forty-eighth General Assembly, and to defray current expenses of the state government for the next two years.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That to defray the current ex-  
penses of the Forty-eighth General Assembly, and to defray the current expenses of the state government for two years, commencing March 19, 1893, the following appropriations are made for the following purposes and none other, which are to be paid out of the treasury on the warrant of the comptroller, or so much thereof as may become necessary in the administration of the state government; and the comptroller shall not issue his warrant upon the treasurer for any other or more money except on accounts where the appropriation has been made by law :

### CRIMINAL AND STATE PROSECUTIONS—COSTS ACCRUED ON BEHALF OF THE STATE.

Fees of clerks, magistrates, sheriffs, witnesses, etc.....	\$ 200,000 00
Fees of district attorneys-general.....	30,000 00
Jail fees.....	100,000 00
Boarding juries....	20,000 00
Arresting fugitives.....	3,000 00
Lunatics to asylum.....	500 00
Supreme judges (5), at \$3,500 per annum.....	35,000 00
Chancellors (11), at \$2,500 per annum...	55,000 00
Circuit judges (18), at \$2,500 per annum.	90,000 00
Criminal judges (4), at \$2,500 per annum,	20,000 00
Criminal judge (1), at \$1,250 per annum,	2,500 00
Attorney-general and reporter's salary, at \$3,000 per annum.....	6,000 00

Funding board expenses as allowed by law, to be paid on an itemized account duly sworn to, which shall be filed with the treasurer.

EXECUTIVE SALARIES.

Governor, at \$4,000 per annum.....\$	8,000 00
Comptroller, at \$3,500 per annum.....	7,000 00
Treasurer, at \$3,500 per annum.....	7,000 00
Secretary of state, at \$3,000 per annum..	6,000 00
Comptroller's first clerk, at \$1,800 per annum .....	3,600 00
Comptroller's book-keeper, at \$1,500 per annum.....	3,000 00
Comptroller's third clerk, at \$1,200 per annum .....	2,400 00
Treasurer's clerk, at \$1,800 per annum..	3,600 00
Treasurer's second clerk, at \$1,200 per annum .....	2,400 00
Adjutant-general, at \$1,800 per annum..	3,600 00
Secretary of state's clerk, at \$1,500 per annum .....	3,000 00
Private secretary to the governor, at \$1,200 per annum.....	2,400 00
Superintendent for hospital for insane, Middle Tennessee, at \$1,900 per annum.....	3,800 00
Superintendent for hospital for insane, East Tennessee, at \$1,900 per annum,	3,800 00
Superintendent for hospital for insane, West Tennessee, at \$1,900 per annum,	3,800 00
State librarian's salary, at \$1,000 per annum .....	2,000 00
Assistant librarian's salary, at \$500 per annum .....	1,000 00
Superintendent of the capitol, at \$1,000 per annum.....	2,000 00

OFFICERS OF THE PENITENTIARY—SALARIES.

Salary of the superintendent, at \$2,000 per annum.....\$	4,000 00
Salary of warden, at \$1,500 per annum..	3,000 00
Salary of deputy warden, at \$1,200 per annum .....	2,400 00
Salary of physician, at \$1,000 per annum.....	2,000 00
Salary of chaplain, at \$300 per annum..	600 00
Salary of matron, at \$300 per annum...	600 00



### LEGISLATIVE EXPENSES.

Mileage and per diem of members on schedule below.

Per diem of officers on schedule below.

Printing calendars, miscellaneous stationery, etc., the bills for same to be audited by the comptroller..... \$ 1,000 00

### EXECUTIVE EXPENSES.

Books, blanks, stationery, etc., for four offices, the bills for same to be audited by the comptroller, and allowance to the offices not to exceed—

The governor's office, per annum...	\$400	\$	800 00
The secretary's office, per annum...	400		800 00
The treasurer's office, per annum...	400		800 00
The comptroller's office, per annum,	800		1,600 00

### CAPITOL EXPENSES.

Deficiency in appropriation for capitol repairs, not to exceed \$3,000, and not to be paid except upon itemized account, to be sworn to and filed with the treasurer.

Gas, electric lights, fuel, water, etc., contingent repairs to be paid upon itemized account, sworn to, and approved by the superintendent of the capitol.

One porter for the governor and secretary of state, to be appointed by the governor, at \$480 per annum.....\$ 960 00

One porter for the comptroller and treasurer, at \$480 per annum, to be appointed by them..... 960 00

Two other porters for other officers and for general work, when needed, to be appointed by the superintendent of the capitol, and to be under his control, at \$420 per annum..... 1,680 00

Landscape gardener and day watchman, at \$800 per annum..... 1,600 00

One all-night watchman, at \$1,000 per annum..... 2,000 00

One engineer at the capitol, \$80 per month, when employed at the capitol.

One fireman at the capitol, \$40 per month, when needed at the capitol.

# SUPREME COURT EXPENSES.

East, Middle, and West Tennessee.....	\$ 5,000 00
To perfect state law library at Nashville, \$500 per annum.....	1,000 00
Railroad assessment, as provided by law,	4,000 00

## PUBLIC PRINTING.

Publishing treasurer's quarterly report..	\$ 1,800 00
Messages and reports of various officers, as ordered, to be audited and allowed by printing commissioners, at regular prices, under resolution.....	3,000 00
Assessment blanks, to be audited by printing commissioners, at regular rate.....	1,000 00
Publishing Acts, Journals, Appendices, etc., to be audited and allowed by printing commissioners, at regular rate.....	3,000 00
Library expenses, for furnishing carpet..	500 00

## COMMON SCHOOLS.

Superintendent of public instruction, salary, \$2,000 per annum.....	\$ 4,000 00
Traveling expenses, \$500 per annum....	1,000 00
Clerk of superintendent, \$1,000 per annum.....	2,000 00
Interest on school fund.....	294,100 00
Interest on Spencer T. Hunt fund to July 1, 1895.....	888 33
For defraying expenses of holding state normal institutes, \$1,500 per annum...	3,000 00
No more than \$5,000 per annum shall be expended out of the interest on the common school fund for printing, stationery, etc., for common school expenses. The superintendent of education shall file with the comptroller an itemized statement, duly sworn to, of the amount expended.	
State Normal College, \$15,000 per annum .....	\$ 30,000 00
State Normal scholarships for colored students, \$3,300 per annum.....	6,600 00

# CHARITABLE INSTITUTIONS.

Hospital for insane (Central), 350 patients at \$155 each, per annum, \$54,250	\$108,500 00
Hospital for East Tennessee, 275 patients at \$155 each, per annum, \$42,625.....	85,250 00
Hospital for West Tennessee, 350 patients at \$155 each, per annum, \$54,250	108,500 00

# CONFEDERATE HOME AND PENSIONS.

For Confederate Soldiers' Home, as per act and the act passed by the present general assembly, for pensions for old soldiers, as per acts, about \$60,000 per annum, or so much thereof as may be necessary .....	\$ 120,000 00
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# SCHOOL FOR DEAF AND DUMB.

Act 1867 allowed white department, payable quarterly.....	\$ 50,000 00
Mechanical building and gymnasium.....	7,500 00
Colored pupils; payable quarterly.....	7,000 00
Repairs, etc.....	2,500 00

# SCHOOL FOR THE BLIND.

White and colored pupils, payable quarterly, act of March, 1867.....	\$ 39,000 00
For repairs.....	2,500 00

# STATE BOARD OF HEALTH.

Appropriation, per annum, \$4,000.....	\$ 8,000 00
Appropriation to be expended only in case of epidemics, on approval of the governor.....	10,000 00

# BUREAU OF AGRICULTURE, STATISTICS, MINES AND IMMIGRATION.

Salary of commissioner, \$2,500 per annum.....	\$ 5,000 00
Expense of department, \$10,000 per annum, including clerical assistance to commissioner (\$1,500 per annum).....	20,000 00
But none of this appropriation shall be used as long as there is any of the funds arising from fees for inspecting fertilizers remaining in the hands of the com-	

missioner, and said sum shall not exceed \$20,000, including fees on fertilizers; *Provided*, That the commissioner shall report quarterly to the comptroller the amount of fees received by him from the inspection of fertilizers.

#### STATE GEOLOGIST.

Salary of state geologist, at \$300 per annum.....	\$	600 00
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#### BUREAU OF LABOR.

Salary of the commissioner, at \$1,800 per annum.....	\$	3,600 00
Commissioner's clerk, salary \$1,200 per annum.....		2,400 00
Expenses, at \$1,000 per annum.....		2,000 00

#### MISCELLANEOUS ACCOUNTS.

Express charges on money from collecting officers.....	\$	500 00
Tax aggregates.....		2,300 00
Supreme court reports.....		3,500 00
Publishing acts in newspapers.....		400 00
Copying acts for newspapers and indexing.....		150 00
Expenses of board of prison inspectors, visits to be made every three months..		500 00
For governor's proclamations (publishing same) .....		500 00
For refitting offices of treasurer and comptroller, purchasing desks, press, file, and new safe, etc.....		1,600 00

Method of payment to charitable institutions, etc.

SEC. 1a. *Be it further enacted*, That whenever the authorities of any state institution, including all hospitals for the insane, Tennessee School for Deaf and Dumb, Blind School, State Normal College, Tennessee Industrial School, Bureau of Agriculture, and State Board of Health, or any other institution maintained, in whole or in part, by the revenue of the state, shall make requisition for money from the state treasury on account of legislative appropriation, they shall forward to the comptroller of state an estimate of the sum required for the month for which such estimate is made, and a warrant shall be drawn therefor; and at the end of such month, such institution shall furnish the state comptroller duplicated, receipted, itemized vouchers for all moneys expended

Vouchers for monthly expenditures.

during such month, and before another warrant can be drawn; and such vouchers shall be subject to inspection at all times; and said comptroller shall inspect said vouchers quarterly; *Provided further*, That it shall be unlawful and a misdemeanor for the comptroller of the state to issue any warrant for the purpose of providing for the pay of inmates of any charitable or educational instruction of the state, unless, at the time application is made for the same, a statement, verified under oath made before some person competent to administer oaths, is filed in his office, showing the name of each inmate for whom pay is drawn, the residence and age of such inmate, date of admission into such institution, and the actual time such inmate has been in such institution during the period of time for which such pay is drawn; and no pay shall be allowed for any greater period than the time such inmate has been in such institution, and a receipted, monthly pay-roll of all employes for the previous month furnished with the said requisition and estimate.

Warrant—  
unlawful to  
issue, when.

SEC. 2. *Be it further enacted*, That there shall be paid as compensation for the senators, sitting as a court of impeachment in the case of Julius J. DuBose, and its officers, the same per diem herein provided to be paid to the senators and officers, payable in the same manner, with mileage also at the same rate in coming to and going from the capitol. There shall also be paid a sum for necessary expenses attending said trial, to be appointed by said court, and the comptroller of the state shall audit the accounts, and issue warrants upon the treasurer of the state to such senators and officers, and for such necessary expenses.

Court of im-  
peachment—  
expenses.

*Subsection 1. Be it further enacted*, That unto John A. Tipton, B. R. Thomas, Thomas J. Tyne there shall be paid the same sum as to the senators for services to be rendered as managers, upon the part of the house, of the DuBose impeachment trial. And the comptroller of the state is hereby instructed to issue his warrant on the state treasurer in favor of said parties for said sums and mileage; *Provided*, That nothing contained in this section shall be construed as to authorize the payment of any money to attorneys to assist in the prosecution.

Compensation  
of managers of  
impeachment.

SEC. 3. *Be it further enacted*, That the comptroller of the treasury issue his warrant on the state treasurer in favor of each member of the senate, and to

each officer and employe of the same, for the amounts stated to be due them respectively, in the following schedule, viz.:

NAMES OF SENATORS.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Adcock, B. G.....	150	\$ 24 00	75	\$300	\$324 00
Alexander, Thos. J.....	172	28 16	75	300	328 16
Barton, R. M., Jr.....	302	48 32	75	300	348 32
Brown, Thos. N.....	558	89 28	75	300	389 28
Bullock, Ernest L.....	330	52 80	75	300	352 80
Cheney, Hampton J.....			75	300	300 00
Coates, A. J.....	392	62 72	75	300	362 72
Dibrell, Frank.....	290	46 40	75	300	346 40
Hale, N. W.....	546	87 36	75	300	387 36
Harr, Jno. B. ....	804	128 64	75	300	428 64
Harwood, Thos. E.....	336	53 76	73	292	345 76
Henderson, G. M.....	604	96 64	75	300	396 64
Leech, Hardin.....	100	16 00	75	300	316 00
McCarron, Wilbur F.....	426	68 80	75	300	368 80
Marshall, Park.....	40	6 40	75	300	306 40
Montague, John F.....	160	25 60	75	300	325 60
Morris, Eli T.....			75	300	300 00
Penland, J. R.....	580	92 80	75	300	392 80
Pierson, Blair.....	420	67 20	75	300	367 20
Shelton, W. T.....	439	70 24	75	300	370 24
Slaughter, G. H.....	124	19 84	75	300	319 84
Taylor, Jos. C.....	558	89 28	75	300	389 28
Tillman, Jas. D.....	240	38 40	69	276	314 40
Tobin, Thos. F.....	464	74 24	68	272	346 74
Townes, Henry C.....	210	33 60	75	300	333 60
Weatherford, Cæsar.....	464	74 24	75	300	374 24
Wells, John E. ....	330	52 80	73	292	344 80
West, Jas. A.....	730	116 80	75	300	416 80
Whitthorne, Wm. J....	94	15 04	75	300	315 04
Wood, Thos. W.....	100	16 00	75	300	316 00
Wyatt, T. C.....	138	22 08	75	300	322 08
Young, S. M.....	100	16 00	74	296	312 00

OFFICERS OF THE SENATE.

OFFICERS.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Dismukes, W. C., Speaker	52	\$ 8 32	75	\$450	\$458 32
Ewing, Caruthers, Chief Clerk .....			75	450	450 00
Chambers, Frank, Assistant Clerk.....			75	450	450 00
Sullivan, Miss Katherine, Engrossing Clerk.....			75	450	450 00
Young, Jake, Sergeant-at-Arms.....			75	300	300 00
Kirby, James, Page.....			75	150	150 00
Stratton, Leslie, Page.....			75	150	150 00
Doyle, Miss Eva, Assistant Engrossing Clerk..			22	132	132 00
McPherson, Lanier, porter.....			75	300	300 00
Carr, Ben, porter.....			75	300	300 00
Smith, Bill, porter.....			75	300	300 00
<i>Prior to convening Senate :</i>					
Jake Young .....			5	20	20 00
Ben Carr.....			5	20	20 00
James Kirby.....			5	20	20 00
Bill Smith.....			5	20	20 00
Rev. Erskine Reed, Chaplain .....					200 00

SEC. 4. *Be it further enacted,* That the comptroller of the treasury issue his warrant on the state treasurer in favor of each member of the House of Representatives, and to each officer and employe of the same, for the amounts stated to be due them respectively in the following schedule.

NAMES OF REPRESENTATIVES.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Allen, William R. ....	780	\$124 80	75	\$300	\$424 80
Armour, W. N. ....	.....	.....	75	300	300 00
Ashley, Simeon. ....	164	26 24	75	300	326 24
Aust, John R. ....	120	19 20	75	300	319 20
Babb, Joseph B. ....	464	74 24	75	300	374 24
Baker, Thos. H. ....	210	33 60	75	300	333 60
Blackford, J. N. ....	150	24 00	75	300	324 00
Bonner, Thos. J. ....	320	51 20	75	300	351 20
Brannan, John B. ....	306	48 96	75	300	348 96
Brooks, R. V. ....	160	25 60	75	300	325 60
Bullock, R. S. ....	424	68 00	75	300	368 00
Butler, G. H. ....	402	64 32	75	300	364 32
Clark, John. ....	666	106 56	75	300	406 56
Clift, J. W. ....	348	55 68	75	300	355 68
Conoway, M. H. ....	250	40 00	75	300	340 00
Cooke, Robert B. ....	306	48 96	75	300	348 96
Cooper, C. L. ....	100	16 00	75	300	316 00
Cox, John I. ....	786	125 76	75	300	425 76
Cummins, James H. ....	104	16 64	75	300	316 64
Dail, I. A. ....	494	79 04	75	300	379 04
Davenport, G. W. ....	456	72 96	75	300	372 96
Davis, Felix M. ....	260	41 60	75	300	341 60
Davis, Ralph. ....	464	74 24	33	132	206 24
Douglas, John. ....	654	104 64	75	300	404 64
Doyle, Hick P. ....	380	60 80	75	300	360 80
Driskell, M. A. ....	626	100 16	75	300	400 16
Ellis, C. C. ....	40	6 40	75	300	306 40
Fitzgerald, Wm. ....	464	74 24	75	300	374 24
Fouts, M. T. ....	390	62 40	75	300	362 40
Frost, Wilson. ....	400	64 00	75	300	364 00
Fulcher, Joe P. ....	.....	.....	75	300	300 00
Gamble, Andrew. ....	558	89 28	75	300	389 28
Garrett, D. Edward. ....	70	11 20	75	300	311 20
Givens, H. C. ....	110	17 60	75	300	317 60
Godwin, J. R. ....	464	74 24	75	300	374 24
Gooch, John M. ....	40	6 40	75	300	306 40
Gower, M. L. ....	186	29 76	75	300	329 76



NAMES OF REPRESENTATIVES.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Gwin, John E.....	240	\$ 38 40	75	\$300	\$338 40
Hicks, G. B. ....	376	60 16	75	300	360 16
Hill, J. A. ....	494	79 04	75	300	379 04
Hoge, W. W.....	430	68 80	75	300	368 80
Hooper, Ben W.....	672	107 52	75	300	407 52
Hull, Cordell.....	400	64 00	75	300	364 00
Jones, James W.....	402	64 32	75	300	364 32
Jones, T. W. ....	160	25 60	75	300	325 60
Kirby, R. G.....	44	7 04	75	300	307 04
Kerber, H. C.....	646	103 36	75	300	403 36
Ledbetter, Richard.....	126	20 16	75	300	320 16
Leech, W. Blake.....	100	16 00	75	300	316 00
Lemons, J. L.....	250	38 40	75	300	338 40
McC Campbell, G. S. W...	534	85 42	75	300	385 42
McLemore, B. S.....	358	57 28	75	300	357 28
Malone, Robert F.....	484	77 44	75	300	377 44
Marshall, R. D.....	16	2 56	75	300	302 56
Massengill, J. W.....	656	105 00	57	228	333 00
Mathes, Jno. A.....	740	118 40	75	300	418 40
Milburn, Wm. E.....	676	108 16	75	300	408 16
Miller, E. C.....	480	76 80	75	300	376 80
Mitchell, J. C.....	370	59 20	75	300	359 20
Morris, Will L.....	230	36 80	75	300	336 80
Murphy, Jno P.....	526	84 16	75	300	384 16
Nelson, W. H.....	128	20 48	75	300	320 48
Newport, J. J.....	550	88 00	75	300	388 00
Newsom, A. B.....	84	13 44	75	300	313 44
Norton, E. A.....	144	23 04	75	300	323 04
Parker, D. H.....	354	56 64	75	300	356 64
Peery, Robt. L.....	158	25 28	75	300	325 28
Pierson, Atwood.....	407	65 12	75	300	365 12
Rambo, T. S.....	580	92 80	75	300	392 80
Remine, J. Q. A.....	676	108 16	75	300	408 16
Richardson, W. L.....	378	60 48	75	300	360 48
Ricketts, F. M.....	118	18 18	75	300	318 18
Rives, N. S. B.....	263	42 08	75	300	342 08
Roberts, N. G.....	62	9 92	75	300	309 92

NAMES OF REPRESENTATIVES.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Sampsell, R. C.....	638	\$102 08	75	\$300	\$402 08
Shelton, W. G.....	428	68 48	75	300	368 48
Stevenson, Jno. H.....	190	30 40	75	300	330 40
Story, E.....	260	41 60	75	300	341 60
Stratton, J. Taylor.....	14	2 24	75	300	302 24
Stroud, Geo. W.....	192	30 72	75	300	330 72
Swabey, S. W.....	430	68 80	75	300	368 80
Thomas, B. R.....	132	21 12	75	300	321 12
Thomas, Robt. E.....	174	27 84	75	300	327 84
Thompson, Jno.....	8	1 28	75	300	301 28
Tipton, Jno. A.....	540	86 40	75	300	386 40
Trice, Jno. H.....	376	60 16	75	300	360 16
Trousdale, J. A.....	52	8 32	42	168	176 32
Tyne, Thos. J.....			75	300	300 00
Vaden, H. B. C.....	146	23 36	75	300	323 36
Vincent, J. O.....	324	51 84	75	300	351 84
Waddell, W. H.....	272	43 52	75	300	343 52
Walcott, K. C.....	362	57 92	75	300	357 92
Walker, M. A.....	528	84 48	75	300	384 48
Whitley, Vinson M.....	144	23 04	75	300	323 04
Williams, R. B.....	178	28 48	75	300	328 48
Williamson, Geo. R.....			75	300	300 00
Williford, A. J.....	464	74 24	75	300	374 24
Witherington, Daniel....	366	58 56	75	300	358 56
Witherington, Jas. B....	520	83 20	75	300	383 20
Yoe, J. W.....	526	84 16	75	300	384 16

OFFICERS.

Davis, Ralph, Speaker...	42	\$252	\$252 00
Trousdale, J. A., Speaker	33	198	198 00
Folk, Reau E., Principal Clerk.....	75	450	450 00
Wills, Mann, Ass't Clerk	75	450	450 00
Womack, Miss Della, En- grossing Clerk.....	75	450	450 00

OFFICERS—Continued.

NAMES.	Number of Miles.	Mileage.	Number of Days.	Per Diem.	Total.
Shaw, Miss Kate Lee, Ass't Engrossing Clerk .....			37	\$222	\$222 00
Williams, Sol. S., Ser- geant-at-Arms .....			82	300	328 00
Dunlap, Porter, Assistant Sergeant-at-Arms .....			87	300	348 00
Cunningham, L. B., Jour- nal Clerk .....			75	450	450 00
Jones, N. W., Door-keep- er .....			75	300	300 00
Elliot, Rev. C. D., Chap- lain .....					200 00

*Be it further enacted*, That the sum of six dollars and seventy-two cents (\$6.72) be, and the same is hereby, appropriated to R. F. Malone, the same being deficient in pay-roll of 1891, and the comptroller is directed to issue his warrant on the treasurer for the same.

PORTERS.

NAMES.	DAYS.	PER DIEM.	TOTAL.
William Steele.....	89	\$2 50	\$ 202 50
R. R. Burnley.....	76	.....	190 00
Mack L. Weddington.....	75	.....	187 50
Scott Harris.....	49	.....	122 50
George Kehbell.....	28	.....	70 00
H. F. Whetley .....	39	.....	96 50
Sylvanus Martin.....	48	.....	120 00

Total .....\$1,009 00

SEC. 5. *Be it further enacted*, That the sum of \$100 per capita per annum be, and the same is hereby, appropriated, payable quarterly, for each scholar that now is, or may hereafter be admitted into the Ten-Industrial school per capita.

nessee Industrial School under the pro rata allowed by law; *Provided*, That, if more scholars are admitted from any one county than are allowed by said pro rata, then the whole amount of such scholarship shall be paid by the county sending them.

Industrial  
school appropri-  
ation.

SEC. 6. *Be it further enacted*, That the following amounts are hereby appropriated for the use and benefit of the Tennessee Industrial School, for the purposes herein specified, to wit:

Steam-heating for main building.....	\$2,500 00
Steam laundry, boiler, engine, etc.....	2,500 00
Building for girls' department.....	8,000 00
Enlargement of main building.....	10,000 00
Additional work-shops.....	4,000 00
Printing-presses, etc.....	2,500 00
Type and appliances for printing-office.....	1,000 00
Lumber .....	500 00
Insurance. ....	500 00
Sewerage .....	200 00
Seeds, plants, and farming implements.....	500 00
Cows .....	300 00
Teams for farm. ....	1,000 00
Fencing, walks, etc.....	500 00

SEC. 7. *Be it further enacted*, That the following appropriations are hereby made to pay the per diem of the members of the charitable institution committee, and to defray the expenses of the same; and the comptroller is authorized to draw his warrant on the state treasurer for the following amount in favor of the parties, as follows, viz.:

#### ON THE PART OF THE HOUSE.

G. R. Williamson, for 16 days, at \$4.....	\$ 64 00
John P. Murphy, for 16 days, at \$4 .....	64 00
W. B. Leech, for 16 days, at \$4... ..	64 00
W. G. Shelton, for 15 days, at \$4.....	60 00
A. B. Newsom, for 18 days, at \$4 .....	72 00

#### ON THE PART OF THE SENATE.

G. Mc. Henderson, for 12 days, at \$4.....	\$ 48 00
W. T. Shelton, for 15 days, at \$4 .....	60 00
Blair Pierson, for 16 days, at \$4.....	64 00
W. J. Whitthorne, for 16 days, at \$4.....	64 00
A. J. Coates, for 15 days, at \$4.....	60 00
To A. B. Newsom, for the expenses of the	

committee, including \$95 paid stenographers.....\$ 446 20

SEC. 8. *Be it further enacted*, That the following appropriations are hereby made for the joint educational visiting committee; and the comptroller is hereby directed to draw his warrants from the state treasurer for the following amounts, in favor of the following parties, viz.:

HOUSE.

C. L. Cooper, 12 days, at \$4.....	\$ 48 00
B. S. McLemore, 12 days, at \$4.....	48 00
G. S. W. McCampbell, 12 days, at \$4.....	48 00
E. A. Norton, 12 days, at \$4.....	48 00
R. D. Marshall, 12 days, at \$4.....	48 00

SENATE.

J. B. Harr, 12 days, at \$4.....	\$ 48 00
T. E. Harwood, 12 days, at \$4.....	48 00
B. G. Adcock, 12 days, at \$4.....	48 00
W. F. McCarron, 12 days, at \$4.....	48 00
T. C. Wyatt, 12 days, at \$4.....	48 00
To R. D. Marshall, for expenses of educational joint committee, paid by him, as per account rendered and filed.....	306 50

Total..... \$786 50

SEC. 9. *Be it further enacted*, That the comptroller of the treasury be, and is hereby, directed to issue his warrant on the treasurer in favor of the following parties for the amounts stated to be due them in the schedule below, being members, officers, etc., of the penitentiary committee, viz.:

SENATE.

R. M. Barton, 15 days, at \$4 per day.....	\$60 00
T. W. Wood, 17 days, at \$4 per day.....	68 00
Hardin Leech, 10 days, at \$4 per day.....	40 00
J. R. Penland, 16 days, at \$4 per day.....	64 00
Jas. D. Tillman, 9 days, at \$4 per day.....	36 00

HOUSE.

Geo. B. Hicks, 17 days, at \$4 per day .....	68 00
H. J. Williford, 7 days, at \$4 per day .....	28 00
J. J. Newport, 17 days, at \$4 per day .....	68 00
H. P. Doyle, 17 days, at \$4 per day .....	68 00

Sol Williams, sergeant-at-arms, 17 days, at \$4 per day.....	\$68 00
Kirk Rankin, clerk and stenographer, 15 days, at \$6 per day.....	90 00
Ben Carr, porter, 15 days, at \$2 per day .....	30 00

SEC. 10. *Be it further enacted*, That the comptroller of the treasury be, and he is hereby, directed to issue his warrant on the treasury, in favor of T. S. Williams, sergeant-at-arms, for money paid out by him as expenses of the penitentiary committee, which visited and inspected prisons during recess, under authority of the senate joint resolution No. 46, said amount being three hundred and twenty-six dollars and ninety-five cents (\$326.95); and the comptroller is directed to draw his warrant in favor of J. W. Allen for the sum of (\$321.30) three hundred and twenty dollars and thirty cents on the treasurer, fees due him as a former comptroller.

#### PENITENTIARY COMMITTEE.

SEC. 11. *Be it further enacted*, That the comptroller draw his warrant on the treasurer in favor of the members of the local penitentiary committee, who were authorized to sit during the recess.

#### SENATE COMMITTEE.

Eli T. Morris, 22 days, per diem.....	\$88 00
Park Marshall, 22 days, per diem.....	88 00
E. L. Bullock, 14 days, per diem.....	56 00

#### HOUSE COMMITTEE.

John R. Aust, 22 days, per diem.....	88 00
J. W. Clift, 22 days, per diem.....	88 00
E. Story, 22 days, per diem.....	88 00
W. J. Ewing, secretary of the committee, 22 days.....	88 00
Jake Young, sergeant-at-arms, 22 days.....	88 00
Bill Smith, porter, 22 days.....	44 00

SEC. 12. *Be it further enacted*, That the comptroller draw his warrant on the treasurer for the following amounts, in accordance with the orders of the senate and house:

J. M. Williams, Sandford Duncan, and F. J. Cheatham, for furnishing plat and estimate of values of old prison grounds.....	\$ 150 0
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Miss Birdie Norton, for services as type-  
 writer .....\$ 40 00  
 Nashville Short-hand Institute, type-writing, 12 50-

SEC. 13. *Be it further enacted*, That the comptroller of the treasury be, and he is hereby, directed to issue his warrant on the treasurer in favor of T. E. Davis, sheriff of Lake County, for expenses, etc., incurred in removing prisoners from Lake County to Dyer County, under change of venue, under senate joint resolution No. 61, amounting to the sum of (\$120) one hundred and twenty dollars.

SEC. 14. *Be it further enacted*, That the following appropriations are hereby made for the committee on war claims and expenses, \$157.50, and pay members; and the comptroller is hereby directed to draw his warrant on the state treasurer for the following parties and amounts, viz. :

J. W. Yoe, 16 days, at \$4.....	\$64 00
J. O. Vincent, 16 days, at \$4.....	64 00
John Taylor Stratton, 16 days, at \$4.....	64 00
M. A. Walker, 16 days, at \$4.....	64 00
W. E. F. Milburn, 11 days, at \$4.....	44 00
Expenses incurred by said committee.	

SEC. 15. *Be it further enacted*, That the comptroller of the treasury issue his warrants on the treasurer for the following amounts, in favor of the following parties, on account of expense incurred in the investigation by the committee of the comptroller's and treasurer's offices, and the estimated expense and cost for not exceeding sixty days after adjournment of the legislature, viz. :

Investigation of  
offices.

#### STATEMENT TO CLOSE OF SESSION.

Pryor, 57½ days, at \$10.....	\$575 00
Fitzgerald, 56½ days, at \$10.....	565 00
Flanagan, 43 days, at \$10.....	430 00
French, 37 days, at \$10.....	370 00
Ellis, 24 days, at \$4, and expenses.....	144 00
Waddell, 24 days, at \$4, and expenses.....	144 00
Bullock, 10 days, at \$4.....	40 00
Tobin, 20 days, at \$4.....	80 00
Williford, 17 days, at \$4, and expenses.....	102 00
Stamps.....	20 00
Telegrams.....	1 70
Marshall & Bruce, envelopes.....	14 50
Brandon Printing Company, printing.....	21 60

Fred Fowler, 5 days .....	\$ 50 00
Brandon Printing Co.....	2 45

# ESTIMATE AFTER CLOSE OF SESSION.

Cost as estimated by the committee to investigate books of comptroller and treasurer for sixty days after close of session..... \$3,000 00

SEC. 16. *Be it further enacted*, That the following appropriations are hereby made for the committee on examination of coal lands (\$155), and members' pay in addition; and the comptroller is hereby directed to draw his warrants on the state treasurer for the following amounts, in favor of the following parties, viz.:

R. Ledbetter, 20 days, at \$4.....	\$ 80 00
H. J. Cheuey, 20 days, at \$4.....	80 00
Frank Dibrell, 20 days, at \$4.....	80 00
Sam Cunningham, secretary and type-writer..	102 85

SEC. 17. *Be it further enacted*, That the comptroller issue his warrant on the state treasurer of the state in favor of the expenses incurred in the DuBose case, and to be issued to the following named parties:

Miss Birdie Norton.....	\$ 7 00
F. Y. Anderson, for record of evidence.....	12 00

Interest warrants—state debt and railroad.

SEC. 18. *Be it further enacted*, That the comptroller issue his warrant on the state treasurer for interest due July 1, 1893, October 1, 1893, January 1, 1894, July 1, 1894, April 1, 1894, October 1, 1894, and January 1, 1895, on the bonds comprising the state debt proper, and the railroad debt, as the same may be payable by statute.

Interest warrants—charitable, etc., institutions.

SEC. 19. *Be it further enacted*, That the comptroller issue his warrant on the state treasurer for the payment of the interest due July 1, 1893, October 1, 1893, January 1, 1894, July 1, 1894, April 1, 1894, October 1, 1894, and January 1, 1895, on bonds and certificates of indebtedness held by charitable, literary, or educational institutions in this state, as same may be due by existing laws.

Favor D. G. Godwin.

SEC. 20. *Be it further enacted*, That the comptroller issue his warrant on the state treasurer in favor of D. G. Godwin, ex-commissioner of agriculture, for fifty-five  $\frac{55}{100}$  dollars (\$55.55), for services as commissioner from March 20 to March 28, 1893, his term of office having expired March 19, 1893, but his suc-



cessor not having taken charge of the office until March 28, 1893.

SEC. 21. *Be it further enacted*, That the comptroller issue his warrant on state treasurer in favor of the following named members of redistricting committee:

John I. Cox, 0 days.....	.....
M. T. Fouts, 7 days.....	\$ 28 00
W. E. F. Milburn, 5 days.....	20 00
R. B. Cooke, 7 days.....	28 00
T. J. Tyne, 7 days.....	28 00
H. B. C. Vaden, 7 days.....	28 00
N. G. Robertson, 7 days.....	28 00
Cordell Hull, 13 days.....	52 00
H. P. Doyle, 7 days.....	28 00
W. G. Shelton, 7 days.....	28 00
J. B. Babb.....	.....
T. H. Baker, 7 days.....	28 00
B. G. Adcock, 7 days.....	28 00
A. J. Coates, 3 days.....	12 00
G. M. Henderson, 7 days.....	28 00
Blair Pierson, 5 days.....	20 00
W. J. Whitthorne, 5 days.....	20 00

SEC. 22. *Be it further enacted*, That the comptroller issue his warrants to C. Weatherford, J. I. Cox, W. N. Armour, J. B. Babb, and J. A. Tipton for \$48 each, and J. A. West and M. A. Driskell for \$60 each, for services as members of the special committee to investigate the matter of controversy between the state and the Tennessee Coal, Iron and Railroad Company; also to Miss Jennie Turrentine, typewriter for said committee, \$98.

SEC. 22a. *Be it further enacted*, That the comptroller of the treasury be, and is hereby, directed to issue his warrants on the treasurer in favor of Sol S. Williams, sergeant-at-arms of the house, for expenses summoning witnesses in Davis investigation, \$28.20, and the further sum of \$—— to the parties, as set out in the schedule below, as witnesses in said case, viz.:

Gustavus Limburg, 2 days and 464 miles.....	\$ 26 20
J. E. Carr, 2 days and 464 miles.....	26 20
Paul Dammann, 2 days and 464 miles.....	26 20
Wm. Finnie, 2 days and 464 miles.....	26 20
E. Carmack, 2 days and 464 miles.....	26 20
R. M. Becker, 2 days and 464 miles....	26 20
F. W. Harbin, 2 days and 464 miles.....	26 20
A. Metler, 2 days and 464 miles.....	26 20

Stenographer.....	\$ 30 60
Miss Jennie Turrentine.....	13 20
	<hr/>
	\$253 40

SEC. 22b. *Be it further enacted*, That the comptroller issue his warrant on the treasurer for the following amounts, in favor of the following parties:

Senate joint resolution No. —, W. Overstreet	\$ 2 60
Senate joint resolution No. 6, Jake Young...	330 00
Senate joint resolution No. 17, presidential electors .....	977 16
Senate joint resolution No. 17, D. B. Plumlee .....	75 52
Senate joint resolution No. 17, J. M. Taylor	48 65
Senate joint resolution No. 17, A. B. Woodward.....	96 80
Senate joint resolution No. 8, matches, fixing desks ..	10 00
Senate joint resolution No. 32, Jake Young..	38 50
Senate joint resolution No. —, T. J. Roberts, fixing storm doors.....	15 00
Senate joint resolution No. —.....	8 45
Senate joint resolution No. 38, J. E. Ingram	51 00

Favor C. A. Miller.

SEC. 23. *Be it further enacted*, That the comptroller draw his warrant on the treasurer in favor of C. A. Miller, the former secretary of state, for the sum of \$1,040.76 for services rendered in copying and certifying to the acts of the regular sessions of 1889, during his term of office, and for which he received no compensation.

Favor Miller and Nunn.

SEC. 24. *Be it further enacted*, That the comptroller draw his warrant on the treasurer in favor of ex-Secretary of State C. A. Miller for \$410.48, and in favor of Col. D. A. Nunn, ex-secretary of state, for \$520 services rendered in commissioning justices of the peace, notaries public, and recording the same.

SEC. 25. *Be it further enacted*, That the comptroller of the treasury be, and is hereby, authorized and directed to issue his warrant on the state treasurer in favor of the following named persons, firms, etc., for the amounts stated to be due them respectively, as appears in the following schedule:

For printing reports of commissioner of labor (House Joint Resolution No. 63)...	\$ 300 00
To James Howard, colored, from December 30, 1892, to February 9, 1893 (House Resolution No. 50) .....	60 00

To Rosenheim Co., felt for floor (House Resolution No. 63).....\$	2 50
To W. D. Glidwell, soap, towels, etc. (House Resolution No. 63).....	1 75
For printing 35,000 copies of the report of the commissioner of agriculture, not to exceed 11 cents per copy (House Joint Resolution No. 56).....	3,850 60
To Warren Glidwell, services (House Resolution No. 64).....	50 00
To Morton, Scott-Robertson Co., for carpet for house (House Resolution No. 57)	576 11
To Weakley & Ward, matting for House..	103 50
To Miss Jennie Turrentine, stenographer in Massengill-Kerber case (House Resolution No. 43).....	60 00
To M. D. Sullivan, services as sergeant-at-arms, — days, at \$4 (House Resolution No. 1).....	48 00
To J. W. Tribble, services as assistant sergeant-at-arm, \$4 per day (House Resolution No. 1).....	48 00
To Charley Johnson, porter, \$2 per day (House Resolution No. 1).....	24 00
To John Fields, porter, \$2 per day (House Resolution No. 1).....	24 00
To Joe Frierson, porter, \$2 per day (House Resolution No. 1).....	24 00
To Frank Avery, porter, \$2 per day (House Resolution No. 1).....	24 00
To W. Cooper & Co.....	40 00
To Ryan & Shea.....	278 00
To Geo. Moore & Sons .....	545 00
To S. J. Underwood .....	69 00
To Mooney & Baine, balance due on capitol improvements (House Joint Resolution No. 38).....	2,098 74
To C. W. Crockett, services as chief clerk from December 31, 1892, to January 6, 1893, inclusive (House Resolution No. 2)	42 00
To sergeant-at-arms, for postage for members (House Resolution No. 9).....	495 00
To sergeant-at-arms, stationery for members (House Resolution No. 18).....	495 00
To Chickamauga park commission (House Joint Resolution No. 53).....	500 00
To Frank M. Knox, sheriff Fayette County,	

arrest of Jonas Smith (House Joint Resolution No. 59).....	\$	35	53
To H. C. Musgrove, opening safe in engrossing clerk's room and repairing same (House Resolutions Nos. 31 and 22).....		15	00
To Sheriff Bowers, extra expense in capturing one Wm. Ratter, indicted for murder in Roane County .....		100	00
To Steve Farmer, the sum of two hundred dollars improperly collected as privilege taxes from him and paid into state treasury, and the comptroller is directed to issue his warrants on the treasurer for said amount.			
To E. L. Searce, the sum of \$200 improperly collected as privilege tax from him and paid into the state treasury; and the comptroller is directed to issue his warrant on the treasurer in favor of said E. L. Searce for said amount.			
To John D. Kreis, former trustee of Morgan County, moneys improperly collected .....	\$	522	72
To Phillips & Buttorff Manufacturing Co., for articles as per account rendered and approved by sergeant-at-arms .....		31	95
To Phillips & Buttorff Manufacturing Co., for articles as per account rendered and approved by the sergeant-at-arms .....		122	32
To Marshall & Bruce, record books for East Tennessee land office, approved by the register .....		22	75
To Marshall & Bruce, for 84 Codes, at \$7.50 each (House Resolution No. 6) .....		630	00

Favor H. H. Norman.

SEC. 26. *Be it further enacted*, That the comptroller be directed to draw his warrant on the treasurer in favor of H. H. Norman, adjutant-general, for amount paid more than amount received by him—\$26.50.

Favor D. B. Gooch.

SEC. 26a. *Be it further enacted*, That the sum of twenty dollars be, and the same is hereby, appropriated to D. B. Gooch, deputy sheriff of Carroll County, for moneys expended by him in arrest of prisoners, and that the comptroller issue his warrant on the treasurer for said amount.

House chief clerk—as to printing journal.

SEC. 27. *Be it further enacted*, That the chief clerk of the House be directed to remain a sufficient time, after the adjournment of the general assembly, to file properly the papers of the House with the secretary of state; to recopy journal of the House for the

public printer, read proof, superintend the printing of the journal of the House, and make index to same, for which the sum of eleven hundred (\$1,100) dollars is hereby appropriated; and for such services, the comptroller is authorized and directed to issue his warrant on the treasurer for said sum in favor of said clerk; and that the assistant clerk shall remain and assist the chief clerk in recopying the House Journal; and for such services he shall be allowed seven hundred (\$700) dollars, and that the comptroller is authorized to draw his warrant in favor of said clerk when he shall have completed said work.

SEC. 27a. *Be it further enacted*, That the comptroller draw his warrant on the treasurer in favor of J. M. Long for \$25, amount due him for funeral expenses of Frank Smith, militiaman, killed at Coal Creek.

Favor J. M. Long.

SEC. 27b. *Be it further enacted*, That, to the following persons and firms, on account of claims growing out of the Coal Creek troubles, as reported by the special committee, the following be appropriated:

Claims account Coal Creek trouble.

Administrators of Geo. Brown.....	\$594 25
W. W. Woodruff & Co.....	275 21
C. M. McClung.....	546 07
S. B. Luttrell & Co.....	198 88
Carpenter & Davis.....	119 57
Dennis Leahy.....	24 00
M. E. Church, South, B. T. Sharp, pastor, Coal Creek, Tenn.....	25 00
Southern Express Co .....	9 00

The foregoing claims to be paid with interest from September 1, 1892.

To pay posse summoned by sheriffs of Knox and Hamilton Counties, under orders of governor, and who served and returned their guns, or who can show good reasons for not returning their guns, as recommended by special committee, for three days' services at the same rates as allowed militia, to be paid by comptroller's warrant on state treasurer, on the certificate of the adjutant-general, as to each person entitled.

SEC. 27c. *Be it further enacted*, That the comptroller draw his warrant on the treasurer in favor of N. B. Payne for \$116.50, amount expended by him in arresting one John Lynch in Kentucky and bringing him to Tennessee for trial.

Favor N. B. Payne.

Favor J. H.  
Mathes.

SEC. 27*d.* *Be it further enacted,* That the comptroller draw his warrant on the treasurer in favor of J. Harvey Mathes, for \$1,838, less 20 per cent. discount on Tennessee money, \$367.60, leaving \$1,470.40, the amount for which said warrant will be drawn, the same being due said Mathes on account of moneys paid in the state treasury while tax-collector.

Senate chief  
clerk—as to  
printing  
journal.

SEC. 28. *Be it further enacted,* That the chief clerk of the senate be, and he is hereby, authorized and directed to remain a sufficient time after the adjournment of the general assembly to file properly the papers of the senate with the secretary of state, to recopy the journals for the public printer, read proof, superintend the printing of the same, and make the index to the printed journal, for which the sum of \$1,200 is hereby appropriated; and for such service the comptroller is hereby directed to issue his warrant on the state treasurer for said sum in favor of said clerk; and that the assistant clerk shall remain and assist the clerk in recopying the senate journal, and, for such service, he shall be allowed (\$700) seven hundred dollars, and the comptroller is hereby directed to draw his warrant on the treasurer when said clerk shall have completed his labors.

Secretary of  
state—additional clerical help  
for.

SEC. 29. *Be it further enacted,* That the sum of \$1,000 is hereby appropriated for additional clerk hire and clerical help in the office of the secretary of state in the matter of paying out the direct tax fund, and the copying of acts of general assembly for publication in newspaper; and the comptroller will draw his warrant on the treasurer in favor of the secretary of state for said amount.

Favor Lafayette  
Gentry.

SEC. 30. *Be it further enacted,* That the comptroller issue his warrant on the treasurer in favor of Lafayette Gentry for five hundred dollars (\$500), said Gentry having been crippled for life last August in the Walden's Ridge skirmish between the Knox County posse and the miners.

Furnishing sec-  
retary's office.

SEC. 31. *Be it further enacted,* That the sum of \$250 be, and the same is hereby, appropriated for the purpose of furnishing and fixing the secretary of state's office; and the comptroller is hereby directed to issue his warrant on the treasurer for the same.

Expense, travel-  
ing, accruing  
after adjourn-  
ment—as to  
payment.

SEC. 32. *Be it further enacted,* That as to any claim or demand against the state for or on account of traveling expenses provided herein, and purporting to have accrued after the adjournment of the present

general assembly, it shall be unlawful for the comptroller of the state to issue his warrant therefor, unless a statement is filed in his office showing the expense specifically and by items, and that the same was necessary and actually disbursed and expended, which statement shall be verified by oath of the claimant, and made before some person competent to administer an oath.

SEC. 33. *Be it further enacted*, That it shall be unlawful for the comptroller of the State of Tennessee to issue his warrant for any claim or demand against the State of Tennessee unless the same is fully, specifically, and exactly itemized, and also sworn to before some person competent to administer an oath; and the auditing or approval of such claim or demand by any officer of the state, or any department thereof, shall be ineffectual as against the above restriction; *Provided*, That this clause shall not apply where such claim or demand, as to the amount and validity thereof, is specifically fixed or regulated by statute.

Warrant—unlawful to issue, when.

SEC. 34. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 91.

AN ACT to authorize and provide for the preparation and issuance to the banks and banking associations of this state circulating notes, to fully protect the same, and to provide for state supervision and examination of all banks accepting the provisions of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act, there shall be issued to the banks and banking associations now chartered, or which, subse-

Circulating  
notes shall be  
issued.

quent to the passage of this act, shall be chartered, by the laws of this state, circulating notes, upon the terms and conditions set forth in the following sections of this act.

As to printing,  
numbering, etc.

SEC. 2. *Be it further enacted*, That the governor and treasurer and the comptroller of the state be, and they are hereby, constituted a commission, authorized and required to cause to be engraved and printed, in the manner best calculated to guard against counterfeiting, such quantity of circulating notes, in the similitude of bank notes, in blank, of denominations not greater than one thousand dollars or less than one dollar, as they may, from time to time, deem necessary to carry into effect the provisions of this act, and of such form as they may prescribe. Before such circulating notes, or any portion of the same, are delivered to a bank, they shall be numbered and registered in proper books, to be provided and kept for the purpose, in the office of the comptroller, and shall be countersigned by him in the presence of one or more of the commissioners, so that each denomination of such circulating notes shall be of the same similitude and bear the uniform signature of such register.

Security.

SEC. 3. *Be it further enacted*, That whenever any bank or banking association now chartered, or which, subsequent to the passage of this act, shall be chartered by this state, shall deposit with the treasurer of this state United States bonds, Tennessee state bonds, county bonds of any county in this state whose bonded indebtedness does not exceed five per cent. of its taxable value, and on whose bonds the interest has been regularly and promptly paid for the last five years, to an amount which shall not exceed its unimpaired, paid-up capital stock, with a view to securing circulating notes under the name of said bank, said commissioners shall issue to said bank an amount of such notes equal to 90 per cent. of the market value of the bonds so deposited. The circulating notes thus issued shall be of different denominations as the bank may prefer, numbered, registered and countersigned as aforesaid, and stamped, printed, or engraved on their face, "Secured by pledge of bonds." It, at any time, said deposited bonds should depreciate in value, the commissioners are hereby authorized and directed to require the banks to which they belong to make said depreciation good, so that the value of the bonds deposited shall always remain equal to the amount of

Depreciation of  
pledged bonds;  
failure to make  
good; fine.



the deposit required by the provisions of this act. A failure on the part of the bank or banking association to comply with the requirements of the commissioners, after ten days' notice, shall subject them to a fine or penalty of one hundred dollars per day, until such security is made good and sufficient as required by the provisions of this act, such fine or penalty to be collected by said commissioners by suit in the name of the state and paid into the state treasury; *Provided*, That banks and banking associations claiming exemption from taxes under the provisions of any special charter in this state, shall not be entitled to the benefits of this act.

Who not included in act.

SEC. 4. *Be it further enacted*, That all the securities held by the treasurer under the provisions of this act shall, as soon as received, and in the presence of the commissioners, or a majority of them, and the president or cashier of the bank making its deposits be stamped or branded with the following words, to wit:

Securities to be stamped; form.

“STATE OF TENNESSEE.

“Deposited in the office of the treasurer of Tennessee by [here insert name of bank depositing]. as security for circulating notes issued by said bank; not to be withdrawn without the consent of the majority of the commissioners indorsed hereon and countersigned by the treasurer.”

And such securities, when withdrawn in accordance with the provisions of this act, shall be indorsed as follows: “Withdrawn by consent of the commissioners;” which consent shall be signed by the commissioners and countersigned by the treasurer. Such indorsement shall not affect the validity of said bonds so withdrawn.

Withdrawn securities; consent.

SEC. 5. *Be it further enacted*, That such banks or banking association as may comply with the provisions of this act are hereby authorized, after securing and signing such circulating notes in the manner required by the provisions of this act, to make them obligatory promissory notes, payable on demand at the place of business within this state of such bank or banking association; to loan or circulate the said money according to the ordinary course of banking business as regulated by the laws of this state.

“Obligatory promissory notes;” to circulate, how.

SEC. 6. *Be it further enacted*, That if any bank or banking association, after receiving such circulating

Redemption of  
note—refusal or  
delay; proceed-  
ings on.

notes, refuses or delays payment, in gold or silver, of any such note put into circulation by it, and presented for payment in the usual hours of business, the holder making such demand may cause the same to be protested. The said protest shall be filed in the office of the comptroller of the state. Thereupon, the commissioners shall give notice, in writing, to the bank which circulated said protested note; and if it neglects to redeem the same, in gold or silver, for ten days after such notice, said commissioners shall immediately, unless they are satisfied that there is a good and legal defense against the payment thereof, give notice, by publication in one or more of the public gazettes of the state, that all the circulating notes of such bank will be redeemed out of the trust funds deposited with the state treasurer for the purpose. They shall thereupon apply such trust funds to the payment of all the notes circulated by said bank in pursuance of and by authority of the provisions of this act, whether protested or not, and adopt such measures for the payment thereof as will, in the opinion of said commissioners, most effectually prevent loss to the holders of said notes and other creditors of the bank.

Receiver—when  
to be appointed;  
duties.

SEC. 7. *Be it further enacted*, That when any bank or banking association has refused to pay its circulating notes, and is in default for twenty days after notice has been given, as provided in Section 6 of this act, the commissioners may forthwith appoint a receiver, and require of him such bond and security as they may deem proper. Such receiver, under the direction of the commissioners, shall take possession of the books, records, and assets of every description of such bank or banking association, collect all debts due and claims belonging to it; and upon the order of the court of record of competent jurisdiction, may sell or compound all bad or doubtful debts; and on a like order, may sell all the real and personal property of such bank or banking association on such terms as the court shall direct; and may, if necessary to pay the debts of such bank or banking association, enforce the individual liability of the stockholders. Such receiver shall pay over all money so made to the treasurer of the State of Tennessee, subject to the order of the commissioners, and also make report to the governor of the state of all his acts and proceedings.

SEC. 8. *Be it further enacted*, That from time to time, after full provision has been made to redeem the notes of such bank, the commissioners shall make a ratable dividend of the money so paid over to them by such receiver on all such claims as may have been proved to their satisfaction, or adjudicated in a court of competent jurisdiction; and as the proceeds of the assets of such bank are paid over to them, they shall make further dividends on all claims previously proved or adjudicated, and the remainder of the proceeds, if any, shall be paid over to the share-holders of such bank, or their legal representatives, in proportion to the stock by them respectively held.

Dividend—  
when commis-  
sioners to make.

SEC. 9. *Be it further enacted*, That the said commissioners shall make and deliver to every bank or banking association which may deposit bonds with the treasurer of this state, in the terms of this act, power of attorney to receive the interest due on said bonds at any time; but they shall revoke such power of attorney whenever, in their judgment, the public safety requires it; and all moneys received by said commissioners as interest on said deposited bonds, shall be held in trust for and on account of said bank or banking association.

Power of attor-  
ney to receive  
interest.

SEC. 10. *Be it further enacted*, That the plates and dies and materials to be procured, as aforesaid, for the printing, making, and marking the circulating notes provided by this act, shall remain in the custody of the comptroller, under the control and direction of the commissioners. The expenses necessarily incurred in executing the provisions of this act, shall be advanced and paid by the bank or banking association, each for its own, applying for such notes, and the commissioners are required to charge against and receive from such bank or banking association applying for such circulating notes such rate per cent. thereon as may be sufficient for that purpose, and as may be just and reasonable.

Plates etc., in  
custody of  
comptroller.

SEC. 11. *Be it further enacted*, That it shall not be lawful for the comptroller to countersign the circulating notes authorized by this act for any bank or banking association to any amount in excess of ninety per cent. of the market value of the amount of bonds deposited by such bank or banking association with the state treasurer. If the comptroller violates the provisions of this section, he shall be deemed guilty of a felony, and, on conviction, shall be punished by con-

Felony for  
comptroller to  
countersign  
notes in excess  
of ninety per  
cent. of value  
of bonds.

finement in the penitentiary for a period of not less than one year nor more than five years.

President, etc.,  
of bank to sign  
notes.

SEC. 12. *Be it further enacted*, That, before the notes received under the provisions of this act are put in circulation, they shall be signed by the president or vice-president and cashier of the bank or banking association to whom they are issued.

Notes destroyed—when.

SEC. 13. *Be it further enacted*, That any bank may, at any time, return any portion of its circulating notes to the commissioners designated in this act; and they, in the presence of the cashier or one of the directors of said bank, shall forthwith cause the same to be destroyed, and a certificate thereof, showing the number and amount of such notes so destroyed, shall be entered upon the proper books of the comptroller, and signed by him and said cashier or director. Thereupon the proportions of said bonds belonging to said bank representing the amount of the surrendered and destroyed notes shall be returned to said bank.

Redemption of  
notes; surrender  
of securities.

SEC. 14. *Be it further enacted*, That when a bank or banking association redeems and returns to the commissioners under this act any part of the circulating notes which it has received, and deposits to the credit of said commissioners, in any bank they may name, an amount of money equal to the unredeemed circulating notes, the state treasurer, through said commissioners, may give up all the securities theretofore deposited by said bank; and the money so deposited shall be applied to the redemption of the unredeemed notes of said bank as they may be presented to the commissioners and be redeemable.

Worn-out notes.

SEC. 15. *Be it further enacted*, That it shall be the duty of the commissioners, as aforesaid, to receive worn-out or mutilated circulating notes of any bank or banking association which may accept the terms of this act, and after memorandum of the same shall have been entered by the comptroller in the proper book or books, to cause the same to be destroyed in their presence; and a record of the destruction of such worn-out or mutilated notes shall be made in the proper book or books of the comptroller. Thereupon, said commissioners shall deliver, in place thereof to such bank or banking association, other circulating notes to an amount equal to those mentioned in this section.

SEC. 16. *Be it further enacted*, That no bank shall have in circulation at any one time notes in denomi-

nation under five dollars to an amount exceeding one-fourth of its capital actually paid in. Amount of circulation—limit.

SEC. 17. *Be it further enacted, That, in addition to the liability imposed upon the share-holders in banks by the laws of this state now in force, the share-holders of such banks as may avail themselves of the privileges of this act shall be, and they are hereby, made liable, in addition thereto, to the face value of their shares for the circulating notes, deposits, and all other liabilities and obligations of said bank accepting the provisions of this act; and stockholders, having reason to believe that a bank is about to stop payment, shall transfer their shares, or any part thereof, with the intent to avoid this liability, or who, having reasonable cause to believe such bank is insolvent, shall transfer any of their shares within six months before such surrender or forfeiture of its franchises, with the intent to avoid this liability, shall be subject to the same on the shares so transferred.* Liability of share-holders.

SEC. 18. *Be it further enacted, That the governor, with the consent of the commissioners, or a majority thereof, shall, as often as may be deemed necessary or proper, appoint a suitable person to make an examination of the affairs of every banking [\*association accepting the provisions of this act, who shall have power to make a thorough examination into all the affairs of the association, and, in doing so, to examine any of the officers and agents thereof on oath; and shall make a full and detailed report of the condition of the association to the governor, which report shall be filed in the comptroller's office in a book to be kept for that purpose. It shall be lawful, under the provisions of this act, for the commissioners of the currency to assess and collect from each bank so examined as follows: For examining banks having a capital less than one hundred thousand dollars, ten dollars; those having a capital of one hundred thousand dollars and less than three hundred thousand dollars, twelve dollars and fifty cents; those having a capital of three hundred thousand dollars and less than four hundred thousand dollars, seventeen dollars and fifty cents; those having a capital of four hundred thousand dollars and less than five hundred thousand dollars, twenty dollars; those having a capital of five hundred thousand dollars and less than six hundred thousand* Examination of banks.

\* The italicised portion is in original bill as printed for the General Assembly, but was inadvertently or otherwise omitted from the enrolled copy, and without which the bill is incomplete.

dollars, twenty-five dollars]; those having a capital of six hundred thousand dollars and over, thirty-seven dollars and fifty cents, which amount shall be assessed by the commissioners of the currency upon and paid by the respective banks or banking associations so examined; and persons appointed to make examinations shall receive such compensation as may be fixed by the commissioners of the currency, and the same shall be assessed and paid in the manner heretofore provided; but no person shall be appointed to examine the affairs of any bank or banking association of which he is a director or other officer, nor shall any examiner receive money from any bank for making such examination.

Volume of currency—limit;  
object of act.

SEC. 19. *Be it further enacted*, That the amount or volume of currency hereby provided for shall at no time exceed twenty-five millions of dollars to be issued in the State of Tennessee by authority given in this act, the object sought by this legislation being to furnish the citizens of this state a safe, sound, and trustworthy currency, possessing sufficient elasticity to meet the urgent demands of the manufacturing, farming, and business interests and exigencies of the times; a currency based on home securities, the stability and sufficiency of which no one can question or doubt, to be overlooked, supervised and guarded by the state's chief officers, for the benefit and protection of the public.

Commissioners to give diligent oversight.

SEC. 20. *Be it further enacted*, That these chief officers, constituted commissioners of currency and banking by this act—viz., the governor of the state, the state treasurer, and the comptroller of the state—are hereby required to give reasonable and diligent oversight, as provided for in this act, to the end that the public may be protected from loss and inconvenience and the banks may perform their legitimate functions and transact a legitimate banking business without being unnecessarily burdened or hampered.

Failure, etc., of officers to perform duties—penalty.

SEC. 21. *Be it further enacted*, That failure, neglect, or refusal on the part of the above named officers to perform these duties, will subject them to all the pains and penalties now provided by the statutes of this state for failure, neglect, or refusal to perform any other duties provided for by law.

SEC. 22. *Be it further enacted*, That this act shall take

effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 92.

AN ACT to amend Section 1151, Chapter 2, of the Milliken & Vertrees compilation of the laws of Tennessee, providing for the election of a state librarian, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1151, Chapter 2, of the Milliken & Vertrees compilation of the laws of Tennessee be, and the same is hereby, amended so as to read as follows: "There shall be a librarian in charge of the state library, who shall be appointed by the governor, and hold the office for two years, at a salary of one thousand dollars per annum, payable quarterly out of the treasury, on a warrant of the comptroller."

Librarian to be appointed.

SEC. 2. *Be it further enacted*, That this act take effect from and after the date of its passage, the public welfare requiring it; *Provided, however*, That this act shall in no way interfere with the librarian elected or to be elected for the ensuing two years by the Forty-eighth General Assembly.

Passed March 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 93.

AN ACT to incorporate the town of Brownsville, Tennessee.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the inhabitants of the town or taxing district of Brownsville, in the county of Haywood, are hereby constituted a corporation and body-politic, by the name and style of the “Mayor and Aldermen of the Town of Brownsville;” and that by the same may sue and be sued, plead and be impleaded, in all the courts of law and equity and in all actions whatsoever; may purchase, receive, and hold property—real, personal, and mixed—within said town for corporation purposes, and may sell, lease, or dispose of same for the benefit of said town; and may purchase, receive, and hold property—real, personal, and mixed—beyond the limits of said town, to be used for the burial of the dead, for the erection of water-works, for the establishment of a hospital, poor-house, work-house, or house of correction, and may sell, lease, or dispose of said property for the benefit of said town; and do all other acts touching the same as natural persons for the benefit of said town; and shall have a common seal, and change the same at pleasure.

**SEC. 2.** *Be it further enacted,* That the boundary of said town shall be as follows: The court-house, in the town of Brownsville, shall be the center of said town; and it shall run 1,320 yards east from the court-house of said town, 1,320 yards west of said court-house, 1,320 yards north of said court-house, and 1,320 yards south of said court-house, the same being an equal square of 2,640 yards, and the said court-house being in the center. And said town is hereby divided into wards, as follows: First ward, to be bounded on the north by East Main Street, on the west by Depot Street, and on the south and west by the corporation limits; second ward, to be bounded on the north by West Main Street, on the east by Depot Street, and on the south and west by the corporation limits; third ward, to be bounded on the south by West Main Street, on the east by Washington Street, and on the



north and west by the corporation limits; and the fourth ward, to be bounded on the south by East Main Street, on the west by Washington Street, and on the north and east by the corporation limits.

SEC. 3. *Be it further enacted*, That the following <sup>Powers—  
additional.</sup> additional powers are granted to said corporation :

1. To enact such by-laws and ordinances as may be proper to preserve the health, quiet, and good order of the town.

2. To prevent and remove nuisances.

3. To establish night watches and patrols, and to employ all necessary police officers to preserve the peace and enforce the ordinances of said town.

4. To punish breaches of the peace or good order committed within its jurisdiction; to ascertain and declare, when necessary, the boundaries and alleys and streets.

5. To grant privileges, and the use and enjoyment of the same.

6. To provide for the working of and paving of the streets and alleys, and for the building and repairing of sidewalks.

7. To sell and dispose of streets and alleys, if unnecessary and for the public good.

8. To provide for the licensing and regulating of auctions, theatrical and other shows and exhibitions, and of all privileges.

9. To restrain and prohibit gambling and gambling houses.

10. To prohibit indecent or immoral exhibitions within the limits.

11. To establish and regulate markets, and provide for the inspection of same.

12. To provide for the organization and regulation of fire companies.

13. To establish a system of sewerage.

14. To dig wells and erect cisterns, and otherwise to make arrangements and contracts for supplying the town and inhabitants thereof with water, and to regulate gas and electric light companies.

15. To impose and collect fines and penalties for breaches of its ordinances, or of the peace generally.

16. To regulate the sale of intoxicating liquors, including beer, ale, and all malt liquors.

17. To build and keep in good condition a lock-up or calaboose for the safe-keeping of persons before trial, and after trial if necessary, in order to collect

or have worked out fines of those who may violate any of the laws or ordinances of the corporation.

18. To impose, collect, and appropriate fines, penalties, and forfeitures for a breach of by-laws or ordinances.

19. To regulate the speed of locomotive engines and cars passing through said corporation, and prevent engines or cars from blocking up the public highways at their crossings, or standing within a certain prescribed distance from the crossing of said highways for a longer time than is necessary to transact their business.

20. To establish fire limits and such general regulations, by ordinances, for the prevention and extinguishment of fires as may be deemed expedient.

21. To regulate the storage and transportation of illuminating oil and gunpowder and other high explosives, and to regulate and prohibit the use of firearms.

22. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve and keep in repair streets, avenues, lanes, and alleys, sidewalks, drains, and sewers; and provide for the planting and protection of shade-trees upon the streets, avenues, or other public grounds, and regulate the same.

23. To provide for the lighting of the streets or public grounds by gas or electricity; or otherwise.

24. To prevent or remove all encroachments into or upon all or any streets, lanes, avenues, or alleys within the town, and to prevent all encroachments into or upon all or any streets, lanes, avenues, or alleys within the town established by ordinances.

25. To prevent and restrain riot, noise, disturbances, or disorderly assemblages, or other disorderly conduct in any street, house, or place within the town.

26. To establish and enforce quarantine laws and regulations, and enforce the same within the town and within one mile thereof.

27. To pass and enforce such ordinances and regulations as may be necessary to prevent cruelty to animals.

28. To restrain cattle, horses, hogs, sheep, and dogs and other animals from running at large, and to prevent or regulate the erection and maintenance of barbed-wire fences within the corporate limits, and to authorize summary sale or other disposition of horses,

cattle, sheep, hogs, dogs, and other animals found running at large within the town.

29. To prevent and regulate the use of fire-works, squibs, roman-candles, sky-rockets, etc.

30. To prohibit and suppress disorderly or bawdy houses and houses of ill fame.

31. To levy and collect taxes upon all real and personal property, merchants, polls, and privileges taxable by the laws of the State of Tennessee; *Provided, however, The ad valorem tax upon property for general purposes in any year shall not exceed fifty cents on the one hundred dollars, and the tax on merchants, polls, and privileges for general purposes, in any year, shall not exceed fifty per cent. of the state tax on same; And provided further, That the board of mayor and aldermen shall have the power to levy a special tax upon all property, both personal and real, not exceeding fifty cents on the one hundred dollars, and on merchants, polls, and privileges not exceeding fifty per cent. of the state tax on same for school purposes, to be used in aid of the public schools in said town, under the direction of the board of mayor and aldermen, together with the school commissioner, as hereinafter set out; And provided further, That neither the ad valorem tax on property for general purposes nor for school purposes, in any year, shall exceed twenty-five cents on the one hundred dollars for each of same, until the fees due attorneys for defending suits on bonds of the old city of Brownsville are fully satisfied and discharged; And provided further, That, until a sufficient amount is levied to fully pay off and discharge the attorneys for defending suits on bonds issued by the old city of Brownsville, the board of mayor and aldermen shall levy fifty cents on the one hundred dollars on all property, real and personal, and on merchants, polls, and privileges, fifty per cent. of the state tax on same, or so much thereof as may be necessary; And provided further, That all the tax levies by said board of mayor and aldermen for any year for all purposes on property, shall never, at any time, exceed one dollar upon the one hundred dollars.*

Bonds of old city.

32. To make all ordinances which may be necessary or proper for carrying into execution the powers specified in this act, and to make all ordinances which it may be deemed necessary or requisite for the good order, health, good government, and general welfare of the town; and also the protection and preserva-

Ordinances—to make all necessary.

tion of any town property, privileges, and franchises; *Provided*, Same be not inconsistent with the constitution and general laws of the state, and enforce the same by a proper fine, imprisonment, or other penalties.

Elective  
officers.

SEC. 4. *Be it further enacted*, That the officers of the town of Brownsville, to be chosen by election of the people, shall be a mayor, a marshal, and four aldermen, and that the mayor and aldermen shall constitute and compose the board of mayor and aldermen of said town; that all the said officers shall be *bona fide* citizens and voters and owners of real property in said town; they shall be elected by the qualified voters of the town, and they shall hold their offices for one year, and until their successors are elected and qualified. In case any of said officers remove from the corporate limits of said town during their respective terms, they shall thereby vacate such offices. Not more than one alderman shall reside within the same ward of said town, but all the voters of said town shall have the right to vote for all of the aldermen, and the candidate for alderman residing within any ward who receives the highest number of votes shall be declared elected. The terms of all said officers to be elected by the people shall begin on the first Tuesday in January of each year.

Officers elected  
by board.

SEC. 5. *Be it further enacted*, That the officers of the town of Brownsville to be elected by the board of mayor and aldermen, shall be a recorder, a treasurer, a night policeman, and such other officers, agents, and servants as the board of mayor and aldermen may deem necessary and may provide for by ordinances. The recorder shall be chosen by the board of mayor and aldermen from the aldermen elect, and the treasurer shall be chosen from the *bona fide* residents and qualified voters in the corporation, other than members of the board of mayor and aldermen.

The recorder and treasurer shall be elected at the first meeting of the board of mayor and aldermen in each year after the general election for officers of said corporation, by ballot. The board of mayor and aldermen shall have the power to prescribe the duties of all such officers, agents, and servants. The board of mayor and aldermen shall have the power to dismiss and remove any officer, agent, or servant elected by voters of the town, or elected or appointed by the board of mayor and aldermen, for any misdemeanor

or misconduct; *Provided*, That it shall take two-thirds vote of the mayor and aldermen to so dismiss and remove such officer, agent, or servant, and their places shall be filled as in cases of other vacancies.

SEC. 6. *Be it further enacted*, That neither the mayor nor any alderman, recorder, or treasurer shall receive any salary, but that the mayor and recorder shall have and receive the fees and perquisites of the respective offices; and that the treasurer shall receive no compensation; and that the board of mayor and aldermen shall have the power to fix the salaries and compensation of all other officers, agents, and servants of the corporation, and that the salary or compensation shall be fixed before the officer is elected or inducted into office, or the agent or servant is employed, and that the salary or compensation shall not be increased during their continuance in office.

SEC. 7. *Be it further enacted*, That the elections for mayor and aldermen and marshal of the town of Brownsville, shall be held by the sheriff of Haywood County, or his deputy, assisted by two clerks and three judges to be selected and appointed by the officers holding the election; said judges and clerks shall be legal voters in said town. The first election shall be held on the second Tuesday in December, 1893, and thereafter on the second Tuesday in December of every year thereafter. The votes shall be by ballot, and the board of mayor and aldermen shall fix, by ordinance, the place, house, etc., of said election after the first election, and that as to the first election it shall be fixed by the sheriff. Notice of said election shall be given at least ten days before the date of same. If the sheriff should fail to hold said election at the time herein fixed, it shall be his duty to hold it as soon after as may be, after giving the requisite ten days' notice, and for willful failure to hold any election as prescribed by this act, he shall forfeit and pay to said corporation the sum of \$100, to be recovered by action of debt in the name of said corporation in any court having jurisdiction of the amount. If there be no sheriff, or if, for any reason, the sheriff should be incompetent, then the election shall be held by the coroner of said county, under the same rules, regulations and penalties as are herein prescribed for the sheriff.

Elections—  
provisions as to.

SEC. 8. *Be it further enacted*, That the judges and clerks to hold said elections shall be sworn and quali-

Elections—  
further provisions.

fied according to the general election laws of this state. The vote shall be by ballot, and the same rules and regulations that are in force in the various state and county elections shall be enforced in the election of the officers to be elected hereunder. It shall be the duty of the judges and clerks holding these elections to file a properly authenticated poll-list and tally-sheet of the election with the recorder of the town, who shall preserve the same.

Qualifications  
of voter.

SEC. 9. *Be it further enacted*, That the following shall be the qualifications for a voter in said town election: He shall be qualified to vote for state and county officers; he shall have been a resident for six months preceding the election within the corporate limits of the town, or he shall be a *bona fide* owner of real estate in the corporate limits of the assessed value of at least \$50, which he shall have owned at least six months. If a non-resident of the town, be a *bona fide* owner of at least \$50 worth of real estate within the corporation limits according to the then last assessment for taxes, and shall have then owned the same six months or longer, he shall have a right to vote in any corporation election.

Who declared  
elected.

SEC. 10. *Be it further enacted*, That the persons receiving the highest number of votes for mayor and marshal, respectively, shall be declared elected to said respective offices, and that the four persons receiving the highest number of votes for aldermen shall be declared elected; *Provided, however*, That not more than one person residing in any ward shall be elected alderman, and the person residing in any ward who received the highest number of votes for alderman of the candidate or persons voted for for alderman in such ward shall be declared elected; and it shall be the duty of the person holding the election to make out and deliver to the persons so elected to the various offices certificates of their respective elections, and also to certify to the mayor-elect the persons elected to the various offices within three days after the election; and the same shall be produced at the first meeting of the board of mayor and aldermen after the election, and the same shall be spread of record on the minutes of that meeting.

Tie.

SEC. 11. *Be it further enacted*, That in case there should be a tie in the election of mayor, aldermen, or marshal, or all or either, the judges and clerks of the election shall forthwith certify same to the officer

holding the election, and said officer shall forthwith give notice of the same, and hold an election for the filling of the office or offices in which the tie exists, and he shall advertise the same for ten days; and said election shall be held as hereinbefore prescribed.

Sec. 12. *Be it further enacted,* That in case of the death, resignation, or removal of any officer elected by the board of mayor and aldermen, or by the people during his term of office, or a vacancy in any office for any cause, the board of mayor and aldermen shall fill such vacancy by electing a successor; said election by the board of mayor and aldermen shall be held by them as soon after the vacancy occurs as ten days' notice of the election can be given, before some regular or called meeting of the board of mayor and aldermen; and the person or persons so elected shall perform the same duties, and be vested with the same powers and privileges, as the person whose duties they are appointed to fill, and upon like conditions. Vacancy—how filled.

Sec. 13. *Be it further enacted,* That the mayor shall hold his office for one year, and until his successor is elected and qualified, and that no person shall be elected mayor who is not, at the time of his election, a citizen of the State of Tennessee and a *bona fide* resident and citizen of and voter in and owner of real property in the corporation. It shall be the duty of the mayor to preside at all meetings of the board of mayor and aldermen, to vote in all elections of officers of the town to be elected by the board, and give the casting vote on all other matters; to take care that all the town ordinances are duly enforced, respected, and observed; to call special meetings of the board of mayor and aldermen when he may deem same expedient and proper; to see that all the property of the town is protected and preserved; together with the aldermen to take acknowledgment of and pass upon the sufficiency of and accept all bonds of officers; to fill all vacancies, except that of alderman, until the same can be filled by election by the board of mayor and aldermen, as herein provided; to try all cases for the violation of any and all ordinances of the corporation, and a mayor's court is hereby established, vested with all the powers of a justice of the peace of Haywood County, and try all offenses against the peace and dignity and ordinances of the town; *Provided*, That in the absence of the mayor, or in the event he shall, for any reason, be incompetent, or Mayor.  
Try all breaches of ordinance.

prefer not to try a case, or prefers that the recorder try cases, the same powers and duties are hereby conferred upon the recorder; and in the event that both the mayor and recorder shall be absent or incompetent, then any justice of the peace of Haywood County resident within the corporation shall have power to sit and try corporation cases, his judgment showing that he sat in place of mayor or recorder. If a party accused makes oath that justice, in his opinion, will not be meted out to him, and his sworn statement and application is supported by at least two reputable and disinterested parties residing within said corporation, a change of venue may be had from the mayor's court to a justice of the peace of said county residing in said corporation; and said justice of the peace is hereby empowered and authorized to try and decide said case under the ordinances of the town. All appeals from corporation cases shall be to the circuit court at Brownsville, Tennessee. In the event an appeal is taken from any fine imposed by the mayor or recorder, or any justice of the peace residing within said corporation, sitting in place of said mayor or recorder, as aforesaid, to the said circuit court, the persons so appealing shall give bond and security for the payment of the fine and costs and to abide by and perform the judgment of the court on appeal, and shall in no case be entitled to an appeal from said fine and costs on the pauper's oath.

Appeals.

Mayor pro tempore.

SEC. 14. *Be it further enacted*, That in the absence of the mayor, for any reason, from a meeting of the board of mayor and aldermen, it shall be the duty of the board to elect a mayor *pro tempore* from their members, whose duty it shall be to preside at said meeting and discharge all the duties of the mayor *pro tempore*; and all matters of the board transacted while he is so acting shall be as valid and binding as if the mayor was present in person.

Breach of ordinances, etc.—arrest for, who to make.

SEC. 15. *Be it further enacted*, That for any violation of the town charter, by-laws, or ordinances coming to the knowledge of the mayor, it shall be his duty to issue a warrant and order the arrest of the party or parties so offending, to be brought before him for trial; and, in the absence of a town marshal, he shall have the power to appoint any citizen of the town to act as special marshal in such cases; or the mayor may, for any violation of any of the by-laws or ordinances of the town committed in his presence,



order any person or persons to arrest said violator of the law or ordinance, and bring such person before him for trial; and any person or persons appointed by the mayor to execute a warrant or ordered to arrest any offender for violation of any of the by-laws or ordinances committed in his presence, who shall refuse to execute said warrant or arrest said offender, said person or persons shall be guilty of an offense against the corporation, and finable under section seventeen of this act, for refusing to assist the town marshal.

SEC. 16. *Be it further enacted*, That the duties of the town marshal shall be as follows: He shall thoroughly acquaint himself with the laws and ordinances of the town, and he shall rigidly enforce the same; and for this purpose police authority is hereby given, which he may exercise without warrant in hand. He shall collect all fines in favor of the town; he may execute distress warrants issued to him by the recorder for taxes; he shall report monthly the names of all persons exercising any privilege in the corporation; he shall perform such other duties as the board of mayor and aldermen may, by ordinance, impose upon him; he shall also superintend the working and repairing of the roads and streets in the corporation, and superintend the making, putting down, and repairing of sidewalks within the corporation, under the directions and instructions of the board of mayor and aldermen.

*Marshal—  
duties.*

SEC. 17. *Be it further enacted*, That the marshal of the town of Brownsville shall have power to execute all criminal processes and distress warrants issued to him by the recorder within the corporate limits that constables have; and for that purpose he is hereby clothed with all the powers of a constable as to civil and criminal processes; he shall have the power to execute all warrants issued by the mayor or recorder, or a justice of the peace residing within the corporation, and make arrests for all violation of town ordinances. He shall have the power to summon any person or persons to aid him in the execution of any process or the arrest of any violator of the ordinances of the town; and such person or persons summoned and refusing to act shall forfeit and pay the sum of \$10 for any such refusal, to be recovered before the mayor for the use of the town; and on such fine being assessed by the mayor, it shall be recovered as

*Criminal  
process—mar-  
shal to execute*

finer assessed for violation of any town ordinance. The marshal shall also report to each regular meeting of the board all revenues and fines collected by him, and shall pay same over monthly.

Recorder—  
duties and  
powers.

SEC. 18. *Be it further enacted*, That the duties and powers of the recorder shall be as follows: He shall keep, in a well-bound book, an accurate account and minute of all the proceedings of the board of mayor and aldermen, issue all privilege licenses, and collect the taxes on the same; he shall collect all general and special taxes levied by the board of mayor and aldermen, and for that purpose, may issue distress warrants as state and county officers are allowed; and keep a proper ledger account of all taxes and revenues collected by him; he shall have supervision of the cemeteries; he shall make out the tax book for the town, and in doing so, he shall use the assessments made for state and county taxes for the current year, and he shall make the same in accordance with the state laws regulating and governing the assessments of the state and county taxes; he shall pay over to the treasurer, every month, the revenues collected by him; he shall draw a warrant upon the treasurer for all moneys ordered to be paid by the board of mayor and aldermen, and keep full record of same; and he shall make to each regular meeting of the board of mayor and aldermen and to any special meeting of same, when so ordered by the board, a full statement of the finances of the corporation, showing its true financial condition; and he shall do and perform such other duties as the board of mayor and aldermen may, by ordinance, impose upon him.

Treasurer—  
duties of.

SEC. 19. *Be it further enacted*, That the duties of the treasurer shall be as follows: He shall receive from the marshal and recorder all funds and revenues whatever that come into their hands for the corporation, and receipt for the same, and shall keep a proper account of the same; and shall receive and take care of any other fund or revenue which shall be coming to the town from any other source, and for this purpose he shall keep such book or books as may be necessary, or as the board of mayor and aldermen may direct; he shall pay out said funds only upon the warrant of the recorder, countersigned by the mayor; he shall make quarterly a full and explicit account and statement of all finances under his control, showing the amounts he has collected or received and the disbursements of

same; and to each regular meeting of the board he shall make a report, and he shall also perform such other duties pertaining to the office as the board of mayor and aldermen may, by ordinance, direct.

SEC. 20. *Be it further enacted*, That the duties of the other officers, agents, and servants of the town shall be such as the board of mayor and aldermen may, by ordinance, prescribe.

SEC. 21. *Be it further enacted*, That the night policeman or other police officers that shall be appointed by said board of mayor and aldermen, shall have the same right, power, and duties as to the execution of civil and criminal process, and as to arresting criminals and violators of the ordinances of the town that constables have in this state. Police officers.

SEC. 22. *Be it further enacted*, That, before entering upon the discharge of their respective duties, the marshal, night policeman, recorder, and treasurer shall each enter into the bond, with good security, in the sum of \$1,000, conditioned upon the faithful discharge and proper performance of their respective duties; said officers shall also enter into bond, with good and sufficient sureties, in double the supposed amount of money which may come into their hands respectively, conditioned upon the faithful and diligent collection and faithful accounting for all moneys that should or ought to come into their hands respectively from fines, levies, and assessment, forfeitures, and any other sources, and which ought, by law, to be collected and paid over. The marshal shall be liable for failure to collect money, return process, or pay over money collected by him; and the recorder shall be liable for failure to collect any and all moneys which it is made his duty to collect under this charter. Said bonds shall be made payable to the board of mayor and aldermen of the town of Brownsville, Tennessee, and their successors in office, for the use and benefit of said town; and said bonds shall be taken and approved by the board of mayor and aldermen at a regular meeting, or at a meeting called for the purpose, and shall be spread of record on the minutes of the board, and the bonds shall be filed with the mayor and carefully preserved by him. A copy of said bonds, certified to by the recorder or mayor shall have the same force and effect as certified copies from courts of record in this state. No officer of the corporation shall become a bondsman for any other officer. Bonds of officers; liability.

Fees.

SEC. 23. *Be it further enacted*, That the mayor shall have and receive no salary, but shall have and receive such fees for the trial of all cases brought before him as are allowed justices of the peace of the State of Tennessee for the issuance of process and trial, docketing, etc., of criminal cases. The marshal shall have for arrest, executing distress warrants, etc., such fees as constables are entitled to receive for similar services, and such a salary as the board of mayor and aldermen may provide. The recorder shall have the same fees as county court clerks for issuing any privilege license, and for issuing distress warrants, same fees as state and county officers are allowed for same, and commissions of four per centum for *ad valorem* taxes collected by him, and he shall not receive any salary. The treasurer shall not receive any salary. No alderman shall receive any salary.

Money—how  
paid out of  
treasury.

SEC. 24. *Be it further enacted*, That no money shall be paid out of the treasury except upon the order of the board of mayor and aldermen, and then it shall not be paid out except upon a warrant drawn by the recorder, countersigned by the mayor. No warrant or scrip shall be drawn or issued unless the money then be in the treasury sufficient to pay same. It shall be a misdemeanor in office to issue any warrant or scrip unless the money shall, at the time, be in the treasury sufficient to pay same. No mayor, alderman, or marshal shall make any contract to do any work or furnish any material for any work to be done by the corporation; and any mayor, alderman, or marshal who shall, during his term of office, make any such contract, shall be guilty of a misdemeanor in office, and punished therefor. That said board of mayor and aldermen shall never contract any debt or debts for any purpose greater than they can pay after paying current expenses out of tax levies hereunder, within one year after the debt or debts are contracted, and that any contract or contracts for debt or debts over and above said amount, shall be *ultra vires* and void, and that said corporation shall have no power to issue any bonds or other negotiable instruments for any purpose.

Contract—  
mayor, etc.,  
shall not with  
corporation.

Debts—limit as  
to.

Ordinances—  
signing, filing,  
recording, etc.

SEC. 25. *Be it further enacted*, That all ordinances shall be signed by the mayor and recorder, and the same shall be spread upon the minutes of the board of mayor and aldermen, and shall be filed and preserved among the records of the town. They shall also be

recorded in a book to be kept for the purpose; and a certified copy of an ordinance from the minutes or from the book kept for the purpose shall be full evidence of the same in all trials in any of the courts of this state, the certificate to be made by the mayor or recorder under the seal of the corporation, if the corporation have a seal.

SEC. 26. *Be it further enacted*, That the board of mayor and aldermen shall have full power to enforce the collection of all taxes assessed upon personal and real property, polls, merchants, and privileges, and to this end the marshal and recorder of the town of Brownsville shall have, and are hereby, clothed with all the power for the collection of taxes on personal and real property and polls and merchants and privileges that is, by law, conferred upon the collectors of the state and county taxes of the same character respectively; and the recorder of said town is clothed with all the powers for the collection of privilege taxes in the corporation that are, or may hereafter be, by law, conferred upon collectors of state and county taxes, with the same penalties prescribed by the state law. The recorder shall have the power to issue distress warrants, and the marshal have the power to execute the same for taxes, and also for fines due said corporation.

Taxes—how collection enforced

SEC. 27. *Be it further enacted*, That the board of mayor and aldermen shall have full power to collect all delinquent taxes and privileges and polls that become due to the corporation, and, to this end, they shall have power to appoint such officers and agents as they deem necessary or proper, who are hereby empowered to proceed to collect all such delinquent taxes in the same manner that delinquent state and county taxes are collected, or may be collected, when the taxes are assessed or the proceeding is had to collect the same, and the general statutes of Tennessee in force as to the mode of collection, penalties, etc., at the same time of the collection of said taxes, or at the time said taxes are assessed, shall be enforced, and shall apply to and inure to the benefit of the town of Brownsville for the collection of its delinquent taxes; and that all taxes assessed by said town upon real estate in the corporation, shall be and constitute lien upon same, in the same way and to the same extent that state and county taxes are liens

Delinquent taxes, etc.—as to collection.

upon same; but the corporation taxes shall not have priority over the state and county taxes.

Delinquent officers to be proceeded against.

SEC. 28.. *Be it further enacted*, That, if the recorder or treasurer or marshal of said town shall fail to collect, or, after collecting, fail to pay over money by either of them received for the use of the town, such recorder, marshal, or treasurer, as the case may be, shall be liable to be proceeded against, together with his sureties, by motion or original suit, in the circuit court of Haywood County, or any other court having jurisdiction of the person of said recorder, marshal, or treasurer, as the case may be, and of the amount involved; and it shall be the duty of such court to enter up judgment against such delinquent officer and his sureties for the money so received, or that ought to have been received or collected in favor of and in the name of the board of mayor and aldermen of Brownsville, for the use of said town; *Provided*, That, in case the action shall be commenced by motion, such officer shall have at least five days' notice of the same.

Taxing district ordinances to remain in force until repealed.

SEC. 29. *Be it further enacted*, That all ordinances and by-laws now in force in the taxing district of Brownsville, not inconsistent with this act, shall remain in force until same are amended or repealed by said board of mayor and aldermen, the same as if same had been passed by said board of mayor and aldermen.

Meetings of board.

SEC. 30. *Be it further enacted*, That said board of mayor and aldermen shall meet regularly once a month, at such place in the town as they may decide upon, and at such special meetings as may be called by the mayor.

Special school district; directors.

SEC. 31. *Be it further enacted*, That the town of Brownsville is hereby created a special school district, and that the common or public schools of said town shall be managed and controlled by a board of school directors composed of six persons, who shall be *bona fide* citizens and residents of said town, whose term of office shall be three years, except as herein provided, and shall be elected by the voters of said town, as follows: At the first election held hereunder, six directors shall be elected—two for one year, two for two years, two for three years—and that thereafter two directors shall be elected each year. Said directors shall have all the power and perform all the duties now or hereafter required and allowed

by the laws of this state of and to the district school directors and district clerks. Said district shall be known as the "Town of Brownsville District." Said directors shall organize and act as district school directors or commissioners now or may hereafter organize and act under the general laws of this state in reference to public schools, and be under the supervision of the county and state superintendents as other public school directors for districts now or may hereafter be under the general public school laws of this state. Said board of directors of the town of Brownsville district shall be a body corporate in like manner as district school directors now are under the general public school laws, and with the same powers and duties. Said board of directors shall, at its first meeting, appoint one of their number chairman and another clerk, who shall hold the respective offices for one year, and until their respective successors are appointed or elected and qualified. The duties of the chairman and clerk shall be the same as under the general public school laws of this state; and they shall also make reports to the said board of mayor and aldermen as required, and be under their supervision and control as herein set out. They shall make reports to the said board of mayor and aldermen at least once in every three months. Said directors, and especially chairman and clerks, under the general public school laws of this state. Said board of directors may take and hold real and personal property for public school purposes, and may sell and convey the same when for the best interests and advantages of the public schools of the town. The general laws of this state in regard to common or public schools shall apply to the town of Brownsville, as far as the same are not modified herein; and said town of Brownsville district shall be entitled to all sums of money from the public school funds that it would be entitled to receive if the district were organized under the general laws of this state; that the county trustee of Haywood County be, and he is hereby, ordered and required to pay over, and on account of the said town of Brownsville district directors hereinbefore provided, the *pro rata* of the school-fund assessed and collected by the county on property, polls, and privileges within the corporate limits of the town of Brownsville, to be used by said directors as hereinbefore directed and

provided; and also to pay over to and on account of town of Brownsville district directors the proper *pro rata* of the fund for common or public schools that shall come into his hands from the State of Tennessee, according to the scholastic population of said town, in the same way as to other school directors in the county.

Taxing district  
property to vest  
in new corpora-  
tion.

SEC. 32. *Be it further enacted*, That upon the election and qualification of the said board of mayor and aldermen, the corporation now known as the "Taxing District of Brownsville, Tennessee," under which the territory embraced within the corporate limits of said town of Brownsville, hereby created, is now governed, shall cease to exist, and that all the assets and property, of every nature, character, and description, of and belonging to said taxing district of Brownsville, Tennessee, shall go to and vest in the said board of mayor and aldermen of the town of Brownsville, Tennessee, and that the said board of mayor and aldermen of the town of Brownsville, Tennessee, shall have full right, power, and authority to take charge and possession of all said assets and property, and it is hereby made the duty of the commissioners of said taxing district of Brownsville to turn same over to said board of mayor and aldermen, upon their election and qualification; and said board of mayor and aldermen shall have full right, power, and authority to collect all the debts and choses in action due by said taxing district for taxes and any other matter or thing, by suit or otherwise, as fully as if same had been originally due to said board of mayor and aldermen of the town of Brownsville, Tennessee.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*



## CHAPTER 94.

AN ACT to authorize the mayor and city council of Nashville, a municipal corporation created and organized under the act of the General Assembly of the State of Tennessee, being Chapter 114 of the Acts of 1883, passed March 21, 1883, and approved March 27, 1883, to issue bonds to defray the expense of opening, altering, widening, grading, or otherwise improving streets and erecting approaches to bridges.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and city council of Nashville, a municipal corporation created and organized under the act of the General Assembly of the State of Tennessee, being Chapter 114 of the Acts of 1883, passed March 21, 1883, and approved March 27, 1883, is hereby authorized, in its corporate capacity, to issue the negotiable bonds of said city, signed by the mayor and countersigned by the recorder of said city, with interest coupons attached, which shall be signed by the treasurer of said city, to an amount not exceeding one hundred and fifty thousand dollars.

Bonds—authorized to issue.

SEC. 2. *Be it further enacted*, That the bonds herein provided for shall be executed of the denomination of one thousand dollars each, and shall mature at such time, from five to twenty years from their date, and bear such rate of interest (not exceeding six per cent. per annum), payable semi-annually, as may be fixed by corporate ordinances of said city.

Denomination, maturity, interest.

SEC. 3. *Be it further enacted*, That said bonds shall be used exclusively for borrowing money for the purpose of defraying the expense of opening, altering, widening, grading, or otherwise improving Broad and Church Streets, and erecting bridge approaches thereon to connect with bridges to be constructed by a terminal company to carry the traffic and travel of said streets over the railroad-tracks now crossing said streets, and hereafter to be constructed across said streets. But none of said bonds shall be used to aid in constructing such part of said bridges as may be located over said railroad-tracks, or over the property of such terminal company, it being the true intent and meaning of this act to enable said city to construct suitable approaches to said bridges connecting herewith, but not to aid in the construction of that

Specific purpose of issuance.

portion of said bridges which will be located over said railroad-tracks, or over the property of said terminal company.

Not sold below  
par.

SEC. 4. *Be it further enacted*, That no bond issued under the provisions of this act shall be sold at less than its par value.

SEC. 5. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 95.

AN ACT to amend the act, entitled "An act to establish taxing districts in this state, and to provide the means of local government for the same" (the same being Chapter XI. of the Acts of 1879), and all acts amendatory thereof, so as to change the names of the president and vice-president of the board of fire and police commissioners into that of mayor and vice-mayor of the city of which they are officers, and to change the manner of electing or choosing said officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act and amendatory acts aforesaid be, and the same are hereby, amended, so that the president and vice-president of the board of fire and police commissioners of the city of Memphis shall be hereafter designated respectively mayor and vice-mayor of the city of Memphis.

SEC. 2. *Be it further enacted*, That, at the expiration of the respective terms of office of the present president and vice-president of the board of fire and police commissioners of the city of Memphis, their successors respectively shall be elected by popular vote, in the manner provided in said acts. The mayor of said city to be voted for and elected in and by that name at the expiration of the term of the now president of said board; and the vice-mayor to be elected in and

by that name at the expiration of the term of the now vice-president of said board. The said board shall remain constituted as heretofore, of three fire and police commissioners, the said mayor and vice-mayor to remain and be, as heretofore, commissioners and members of said board. In event of a vacancy in either of said offices, otherwise than by the expiration of the said term of office, such vacancy shall be filled in the manner and for the time now or hereafter provided for filling a vacancy in the office of president or vice-president of said board.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 96.

AN ACT to reduce the size of the corporation of the town of Lebanon, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the size of the corporation of the town of Lebanon, Tennessee, be reduced by running the western boundary line of said corporation, beginning at the south-west corner of the lot now owned by B. J. Tarver, and formerly owned by E. J. Galloway; thence north with the street to the alley, which is the northern boundary of the lots owned by W. H. Brown, Mrs. M. J. Coe, E. Bass, and Sain Golladay, to a point in the center of said alley opposite the south-east corner of D. J. Barton's barn; thence north to the Town Creek, which is the old line.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with Section 1 of this act are hereby repealed.

Passed March 31, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 97.

AN ACT to provide for the preparation, issuance, and sale, at or above par, of a sufficient number of state bonds, at a rate of interest not above four and one-half per cent., and running not longer than twenty years, to redeem the five, five and a quarter, and six per cent. bonds outstanding, issued under Chapter 84, Acts of 1883, and to meet the cost of the penitentiary, farm, and coal lands ordered by the present general assembly, and to repeal Chapter 217, Acts of 1891, which provides for the issuance of four per cent. bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That as soon as practicable after the passage of this act, the funding board, composed of the governor, comptroller, and treasurer, shall negotiate the sale of a series of the bonds of the state, hereafter to be issued, bearing a rate of interest not exceeding four and one-half per centum per annum, and payable not more than twenty years from date, and sufficient in amount to redeem at par the five per cent., five and a quarter per cent., and six per cent. interest-bearing bonds of the state now outstanding or hereafter to be issued under Chapter 84 of the Acts of 1883, and designated as "State Debt Proper Bonds;" and also sufficient in amount (six hundred thousand dollars) in addition to raise the fund necessary for the building of the penitentiary and purchase of convict farm and coal lands, and other necessary expenses contemplated in an act passed March 25, 1893, and approved April 4, 1893, entitled "An act to provide for the erection of a pen-

Bonds—funding  
board to negoti-  
ate sale of; ob-  
ject.

imentary and appurtenances upon improved and modern plans, in which to keep and maintain state convicts; to provide for the utilization of convict labor therein and upon farming lands, and in a coal mine or mines, and for the purchase of the property necessary for the aforesaid purposes, and to prepare for the abolition of the convict lease system in Tennessee."

SEC. 2. *Be it further enacted*, That as soon as practicable after the negotiations aforesaid, the said funding board shall cause to be prepared, executed, and issued said bonds, in the amount and upon the terms as set forth in section one of this act. Said bonds shall be obligations on the part of the state of Tennessee to pay the principal and interest thereon according to the tenor thereof, and shall be executed with the signatures of the governor and comptroller, countersigned by the state treasurer, and attested by the secretary of state under the great seal of the state, and shall be payable at the fiscal agency of the state. Should coupons be issued, they shall be attached thereto in sufficient number, at the rate of interest, with the limit, mentioned in section one, which may be payable semi-annually, in April and October, and each coupon shall bear the *fac-simile* of the signature of the treasurer and comptroller.

Preparation and  
issuance.

SEC. 3. *Be it further enacted*, That all of said bonds shall be of one date on the face thereof, and each issue shall be numbered in a continuous series, beginning at "one," and a true and perfect record thereof shall be kept in a well-bound book by the secretary of state, as is now provided by law for other bonds, and in like manner as is now provided by law for other bonds. The comptroller shall keep a bond-book containing, on separate pages and regularly numbered, duplicate headings of each bond issued under this act, with blanks for coupons attached (if there be coupons), upon which blank coupon spaces the coupons, when paid, shall be pasted.

Date; record to  
be kept by sec-  
retary of state  
and comptroller

SEC. 4. *Be it further enacted*, That the governor, comptroller, and treasurer, shall sell said bonds at a price not less than par, but a reasonable commission may be allowed, if found necessary, but said commission shall be paid to parties negotiating said sale, and in no event shall any of said commission be allowed any member of the funding board, and said funding board may, in their discretion, sell said bonds from

Commission—to  
whom allowed.

time to time, as they may deem for the best interests of the state.

Redemption of  
bonds men-  
tioned in Sec. 1.

SEC. 5. *Be it further enacted*, That after the sale of the bonds herein authorized, the comptroller shall call, by advertisement in some daily newspaper published in the state, for the redemption of the bonds mentioned in Section 1, of this act, issued under Chapter 84, Acts of 1883; and the interest on said bonds shall cease after sixty days after said call is made; and with the proceeds of a sufficient number of the bonds issued by authority of this act, said funding board shall take up and cancel said five, five and a quarter, and six per cent bonds.

Chapter 84, Acts  
1883, still in  
force.

SEC. 6. *Be it further enacted*, That nothing in this act contained shall be so construed as to in any way modify, amend, or repeal the provisions of Chapter 84, of the Acts of 1883, nor to affect the validity of the \$469,000 in bonds heretofore sold under the act of 1891.

Chapter 217,  
Acts 1891, re-  
pealed.

SEC. 7. *Be it further enacted*, That Chapter 217, Acts of 1891, is hereby repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 98.

AN ACT to amend the charter of the town of McKenzie, Carroll County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of McKenzie, Carroll County, Tennessee, be, and the same is hereby, amended to authorize and empower the recorder of said town to hear and determine causes arising under the laws of said corporation, in all cases, during the absence or incompetent sickness of the mayor.

SEC. 2. *Be it further enacted*, That the recorder of said town is hereby clothed with all the powers and charged with all the duties imposed upon the mayor in the trial of causes for the violation of town ordinances during the absence, sickness, or incompetency of said mayor.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 99.

AN ACT to create the second circuit court of Shelby County, and to define its jurisdiction.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a circuit court for the county of Shelby, to be called the second circuit court of Shelby County, be, and the same is hereby, established, to be holden five times a year, at the court-  
Court established; salary of judge.

house in said county, on the third Monday in September, November, January, March, and May, respectively, of each and every year; and said court is hereby attached to the fifteenth judicial circuit; *Provided*, That the salary or compensation of the judge of said court shall be paid by the county, as now provided by law with reference to the probate judge of Shelby County.

Jurisdiction.

SEC. 2. *Be it further enacted*, That said court have and exercise exclusive jurisdiction over all cases of appeal, certiorari and supersedeas, which may hereafter be taken or prayed from the judgment of any justice of the peace in said county. And in all appeals from the judgment of justices of the peace in said county, hereafter prayed, the papers shall be, by said justices, returned to the ensuing term of said second circuit court; and said court also shall have concurrent jurisdiction with the circuit court of said county in all divorce cases.

Clerk—who shall be; duties; bond.

SEC. 3. *Be it further enacted*, That the present clerk of the circuit court of Shelby County, and his successors in office, shall be ex officio clerk of the second circuit court of Shelby County, with power to appoint necessary deputies, and shall keep his office in the court-house; and his duties, powers, and responsibilities, and the compensation for his services, shall be the same as now granted and imposed by law to and upon clerks of the circuit courts of the state. But, before entering upon his duties, he shall enter into bond, with good sureties, to be approved by the judge of said court, in the penalty and with the same conditions as required of other circuit court clerks in this state.

SEC. 4. *Be it further enacted*, That the sheriff of Shelby County shall furnish a deputy to attend the sittings of said court, and the county court shall provide suitable rooms for the holdings of said court.

Papers, certain, transferred to said court; trial in and appeals from.

SEC. 5. *Be it further enacted*, That the papers in all appeal, certiorari and supersedeas pending and undisposed of in the circuit court of Shelby County be, and the same are hereby, transferred to the said second circuit court, there to be disposed of as though the cases had been appealed or removed to that court in the first instance; the trial of such cases, as well as such as may originate in said court, or which may be brought to said court by appeal or certiorari and supersedeas, to be conducted as is now provided by



law in reference to circuit courts of this state; and from the judgment or decree of said court, appeals, and appeals in the nature of a writ of error, or writs of error, as the case may be, will lie directly to the supreme court of the state, and to no other, to be granted upon the same terms as is now prescribed by law in reference to circuit courts.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 1, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 100.

AN ACT to create and establish a chancery division out of the counties of Sullivan, Hawkins, Hamblen, Grainger, Claiborne, and Hancock, to be designated the Twelfth Chancery Division of the State of Tennessee, and to fix the time of holding the courts of said division, and to provide for the appointment of a chancellor therefor, and to repeal all laws in conflict therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a chancery division, to be designated the Twelfth Chancery Division of the State of Tennessee, be, and the same is hereby, created, composed of the counties of Sullivan, Hawkins, Hamblen, Grainger, Claiborne, and Hancock. Twelfth Chancery Division created.

SEC. 2. *Be it further enacted*, That the time for holding the chancery court in the counties composing the said chancery division shall be as follows: Sullivan, Bristol—first Monday in May and November, Blountville—first Monday in June and December; Hawkins, third Monday in March and September; Hamblen, second Monday in February and August; Grainger, fourth Monday in May and November; Claiborne (at Tazewell), second Monday in April and October; Hancock, fourth Monday in April and October. Time for holding courts.

Chancellor. SEC. 3. *Be it further enacted*, That the governor of the state shall appoint a chancellor for the said twelfth chancery division, who shall hold his office until the first of September, 1894; and at the general election on the first Thursday in August, 1894, a chancellor for said division shall be elected by the qualified voters of the counties composing said twelfth chancery division.

Bonds and process. SEC. 4. *Be it further enacted*, That all bonds shall be taken, and all process heretofore or hereafter issued, shall be, and are hereby, made returnable to the courts at the times and places fixed for holding the same in the foregoing provisions of this act.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 101.

AN ACT to amend an act passed September 18, 1891, and approved September 19, 1891, Chapter 21, of an extra session of the legislature of 1891, entitled "An act to authorize a uniform ballot throughout the state."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1 of Chapter 21, of an act passed September 18, 1891, and approved September 19, 1891, at an extra session of the legislature, be so amended as to read in the seventh and eighth lines: "The ballots to be voted shall be of plain, white paper, three inches wide and seven inches long; *Provided*, That they shall not deviate more than one-eighth of an inch in length, and one-sixteenth of an inch in width."

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 31, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 102.

AN ACT to change the line between the counties of Putnam and Jackson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Putnam and Jackson be so changed as to include the lands of W. J. Bartlett in Putnam County; bounded on the south by J. E. Anderson, on the west by Nancy Owen, on the north by C. P. Lewis, on the east by J. M. Mabery.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 103.

AN ACT to amend an act, entitled "An act to establish taxing districts in this state, and to provide the means of local government for the same," Passed January 29, 1879, approved January 31, 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That so much of Section 6 of the taxing district act as relates to the employment of a civil engineer by the police and fire commissioners be, and the same is hereby, repealed.*

SEC. 2. *Be it further enacted, That the president of the board of fire and police commissioners, with the consent of the legislative council, shall appoint a competent civil engineer, at a salary not exceeding \$3,000 per annum, who shall serve as city engineer for the term of two years, unless sooner removed by the legislative council.*

SEC. 3. *Be it further enacted, That this act take effect from and after its passage, the public welfare requiring it.*

Passed April 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 104.

AN ACT to authorize the city of Memphis to convey to the Old Folks' Society, of Shelby County, a certain unused burying-ground, known as "Winchester Cemetery;" and also to authorize said society to remove the bodies now buried therein to some other suitable locality in Shelby County outside of and beyond the corporate limits of said city of Memphis.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the legislative council of the taxing district of Shelby County (formerly the city of Memphis) be, and they are hereby, empowered,*

in their corporate capacity, to grant and convey to the Old Folks' Society, of Shelby County, a body-corporate, chartered under the general incorporation laws of the State of Tennessee, the four acres of ground which constitute a part of the grounds now known as "Winchester Cemetery," donated by the original proprietors to the city of Memphis in the year 1828, to be used as a burying-ground; upon condition, however, that said Old Folks' Society shall stipulate and agree to remove, free of expense to the said city of Memphis, all human remains now buried in said lot of land, and have the same properly interred in some other suitable location as hereinafter provided.

SEC. 2. *Be it further enacted*, That the said Old Folks' Society, of Shelby County, be, and the same is hereby, authorized and empowered to contract with the owners and proprietors of any other cemetery or burying-ground in Shelby County, Tennessee, to remove and re-inter the remains formerly buried in Winchester Cemetery, and to convey to such proprietors and owners as aforesaid, upon such terms as may be agreed to, the four acres of ground set out and named in the first section of this bill, as well as the remaining part of Winchester Cemetery now owned by the said Old Folks' Society, it being the purpose and intent of this act to secure the removal to a suitable distance from the corporate limits of the said city of Memphis of the bodies now buried in Winchester Cemetery, and to provide for their decent interment in some locality better for a public burying-ground.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage.

Passed April 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 105.

AN ACT to authorize any county in the state of Tennessee which has a bonded debt, and which has been created in aid of or by a subscription of the county for building or aiding in building a railroad, to issue new bonds, with coupons attached, to fund or compromise the debt or any part of same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in order to enable any county in this state which has a bonded indebtedness, matured or about to mature for payment, on account of such county's subscription made to build or aid in building, or such county's issue in aid of a railroad, to meet such indebtedness, or compromise such indebtedness or any part of same, the quarterly county court of such county may issue bonds, with coupons attached, at a rate of interest not exceeding six per centum per annum, payable annually or semi-annually, as may be deemed best for the county by said court, these bonds to be in sums or denominations of \$100, \$500, or \$1,000, to be due and payable not exceeding thirty years after the date of their issuance, in payment or compromise of such indebtedness or any part of same. These bonds shall be signed by the county judge or chairman of the county court and countersigned by the clerk of said court, with the seal of the court attached; and the quarterly court of the county is authorized to have prepared a sufficient number of engraved or lithographed coupon bonds, with interest payable as provided above, to take up the old bonds.

Railroad bonded indebtedness—may issue bonds to pay.

SEC. 2. *Be it further enacted*, That the quarterly county court of such county is empowered to provide by taxation the funds to pay the annual or semi-annual interest, as the case may be, on said bonds; also to provide a sinking fund to take up and discharge said bonds from time to time as they mature.

Interest tax; sinking fund.

SEC. 3. *Be it further enacted*, That none of these new bonds be sold at less than par, or they may be exchanged, dollar for dollar or at a premium, for the old bonds outstanding, and a record shall be kept, and spread upon the minutes of the quarterly county court, showing the number and denomination of each

Sale or exchange—record of; proceeds, how expended; old bonds canceled.

bond, the name of the person to whom it was sold, or with whom it was exchanged for the old bond; and all moneys derived from sale of the new bonds shall be applied or expended in retiring and taking up the old bonds, and for no other purpose; also each of the old bonds taken up shall be canceled by the chairman of the county court or the county judge in counties where there is such an office, and exhibited to the quarterly county court, at its next session, and disposed of as the court may direct.

SEC. 4. *Be it further enacted*, That in no case shall the rate of interest on the outstanding debt be increased by the refunding provided for in this act. Interest not to be increased.

SEC. 5. *Be it further enacted*, That the refunding or compromising, under this act, shall in no way affect the liability of any new county or fraction thereof that may have been taken from a county refunding or compromising hereunder of bonds that were issued before the new county or fraction thereof was taken off from such county so refunding or compromising; and that the new county or fraction thereof taken off from such county so refunding or compromising bonds issued before the new county or fraction thereof was taken off from such county so refunding or compromising, shall be liable on the new bonds issued hereunder in the same way, and to the same extent that the new county or fraction thereof is liable on the old bonds that may be refunded or compromised hereunder as renewal bonds, and that the new county or fraction thereof shall not be released from the indebtedness by the refunding or compromising hereunder. Liability of new county or fraction on new bonds.

SEC. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 106.

AN ACT to authorize the mayor and aldermen of Covington, Tipton County, to borrow the sum of ten thousand dollars, for the purpose of erecting and furnishing, or assisting in erecting and furnishing, school-buildings in said town, and to issue interest-bearing, negotiable bonds for said amount, and to levy and collect taxes for the payment of same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and aldermen of Covington, Tipton County, be, and they are hereby, authorized and empowered to borrow ten thousand dollars, for the purpose of erecting and furnishing, or assisting in erecting and furnishing, buildings in said town to be used as school-buildings for the use and benefit of the children of school-age in said town, and, to this end, said mayor and aldermen of the town of Covington are hereby authorized and empowered to issue negotiable interest-bearing coupon bonds to the amount of said sum of ten thousand dollars, and to negotiate and sell the same for the purpose of raising the money to erect, furnish, and equip said school-buildings, or assist in so doing, for the use and benefit of said town. Said bonds shall be signed by the mayor and recorder of said town, and the corporate seal of said town shall be affixed to each before being issued. They shall be issued in such denominations as the said mayor and aldermen shall fix; *Provided*, They be issued in three series, with five years intervening between the maturity of each series, so as to absorb, every five years, the sinking fund hereinafter provided. But any or all of said bonds shall be payable at the option of the mayor and aldermen of the town of Covington after five years from the date of issuance, by a call made for the presentation of the same by numbers and series for thirty days, at place of payment, which call may be published in any daily newspaper published in the city of Memphis, Tennessee; if such bonds, when so duly called, are not presented at the time and place designated, interest thereon shall cease from that date. Said bonds shall bear interest at the rate of six per cent. per annum, payable semi-annually, to be evidenced by coupons attached to each of said bonds;

May borrow  
money and  
issue bonds—  
purpose, etc.

Series.

When payable.

Interest. Bonds  
not sold below  
par.



but said bonds shall not be sold or disposed of at less than dollar for dollar of their face value.

SEC. 2. *Be it further enacted*, That before said bonds shall be issued the mayor and aldermen shall cause an election to be held by the town constable in said town to submit to the qualified voters therein the question whether they are in favor of issuing bonds or not, and said constable shall give thirty days' notice of the time, place, and purposes of said election; and if three-fourths of the votes cast at said election are in favor of issuing said bonds, then the said mayor and aldermen shall issue said bonds as prescribed in the foregoing section. Those in favor of the issuance of the bonds will have written or printed on their tickets, "For the bonds," and those opposed, "Against the bonds."

Election as to  
issuance.

SEC. 3. *Be it further enacted*, That upon the issuance of said bonds in conformity with the foregoing sections, they shall be a valid and binding debt and obligation of the mayor and aldermen of the town of Covington; and the mayor and aldermen of the town of Covington are hereby authorized and required to levy and collect annually after the issuance of said bonds, and while they or any of them are outstanding, a tax sufficient to meet the interest on said bonds as said interest matures, and sufficient also to provide a sinking fund for the payment of the principal of said bonds as the same matures, to be known and designated as the "interest and sinking-fund tax." Said annual sinking-fund tax shall be of such an amount as the same, with its accretions, will be sufficient at the end of each five years to pay off the series of bonds maturing each five years; but the special tax here authorized to raise said interest and sinking fund shall not in any one year exceed the rate of twenty-five cents on the one hundred dollars assessed value of taxable property within the corporate limits of said town, and taxable under the laws of the state for corporation purposes. And said mayor and aldermen are authorized to levy taxes for said purpose to said amount on such taxable property, and to levy and collect a special license or privilege tax upon all pursuits, avocations, and business carried on within the corporate limits of said town, which are required by the law of the state to pay a privilege tax to the state, not exceeding the rate or amount of privilege tax on each business for state purposes.

Interest and  
sinking fund  
tax—limit of.

Special tax.

Sinking fund—  
who to hold,  
etc.; bond.

SEC. 4. *Be it further enacted*, That the recorder, or financial officer of the mayor and aldermen of the town of Covington, shall hold, invest, and pay out the sinking fund herein provided for. Said recorder shall make to the mayor and aldermen of the town of Covington semi-annual reports as to the amount, nature, and exact condition of the sinking fund in his hands; and he shall invest said sinking fund as fast as it accumulates in the series of bonds for the payment of which the fund is being accumulated, so far as possible, and in such other securities as the mayor and aldermen of the town of Covington may from time to time direct. Said recorder, before entering upon the duties of his office, shall give, in addition to the other bond required of him, a special bond, in amount sufficient and properly conditioned, to fully preserve and protect the sinking fund that may come into his hands. Said recorder shall be paid a reasonable compensation for the care and custody and payments of said interest and sinking fund, the same to be fixed by the mayor and board of aldermen of the town of Covington.

SEC. 5. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 107.

AN ACT to compel insurance companies to pay the full amount of loss sustained upon property covered by policies of insurance up to the amount expressed in the policies, notwithstanding any stipulation in such policies to the contrary.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That insurance companies shall pay their policy-holders the full amount of loss sus-

tained upon property insured by them ; *Provided*, Said amount of loss does not exceed the amount of insurance expressed in the policy, and that all stipulations in such policies to the contrary are, and shall be, null and void ; *Provided, however*, That insurance policies issued upon cotton in bales shall not be subject to the provisions of this act.

Sec. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 108.

AN ACT to amend the charter of the town of Rogersville, in the county of Hawkins, to embrace all of said charter in one act, and to repeal all laws in conflict with this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Rogersville, <sup>Incorporation ;</sup> in the county of Hawkins, and the inhabitants thereof, <sup>general powers.</sup> be, and are hereby, constituted a body-politic and corporate, under and by the style and name of the "Town of Rogersville," and shall have perpetual succession. By their corporate name may sue and be sued, plead and be impleaded, in all courts of law and equity and in all actions whatsoever ; may purchase, receive, and hold property, real and personal, within the said town, and beyond the limits thereof, for the erection and keeping up of water-works, work-houses, houses of correction, and other public buildings for the use of said corporation and for other corporate purposes ; and may sell, lease, or dispose of the same for the benefit of said town, and do all other acts touching the same as natural persons might ; and may have and use a common seal, which it may change at pleasure.

Sec. 2. *Be it further enacted*, That the mayor and town council of the town of Rogersville shall, within the limitations of this act, have power, by ordinance—  
Special powers.

1. To levy and collect taxes for general purposes of said corporation upon all property and polls taxable by the laws of the state, the rate of such taxation not to exceed the levy upon such property and polls for state purposes proper and alone in any one year.

2. To appropriate money, and to provide for the payment of the debts and expenses of said corporation.

3. To levy and collect taxes for general purposes upon merchants, and any or all of the privileges taxable by the laws of the State, the rate upon merchants to be such as the mayor and town council may provide for, not being in excess of the rates collected by the State.

4. To make regulations to prevent the introduction and spread of contagious diseases in the town, or to appoint a board of health for the purpose, and to enforce the same within one mile of the town limits.

5. To make regulations to secure the general health of the inhabitants, and to prevent and remove nuisances.

6. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, and keep in repair the streets and alleys of said town, or to have or cause the same to be done; and shall have power, by proper proceedings in court, to condemn and appropriate real estate within the corporate limits for the purpose of laying out and opening streets and alleys, and improving the same.

7. To regulate and provide for the construction of sidewalks and foot pavements along the streets of said town by the owners of lot or lots bordering on said streets, the town to pay one-half the expenses thereof, and if any owner or owners of any such lot shall fail to comply with the provisions of any ordinance requiring such owner or owners to build or repair sidewalks after due notice, the corporation shall have authority and right to build or construct same and pay therefor entirely out of any money specially appropriated for that purpose, when the one-half of such amount so paid shall become and be a lien upon said lot or lots, and payment of the same shall be enforced in any court of competent jurisdiction under proceedings

brought in the name of the corporation, and such lien shall only be discharged upon full payment of the same; *Provided*, That the said corporation shall be at all expense of placing good and substantial guttering and curb-stones at the outer edge of such pavements when necessary.

8. To erect, establish, and keep in repair bridges, culverts, sewers, and gutters.

9. To provide for lighting the streets and public buildings and places.

10. To erect market-houses or to establish markets, and regulate the same.

11. To provide for the erecting or leasing of all buildings necessary for the use of the town, and for the inclosing, improving, and regulating all public grounds in the town or belonging to the town outside of the corporate limits.

12. To license, tax, or regulate every thing or person licensed, taxed, or regulated by the state, unless otherwise enacted by the state, and to regulate the sale of all spirituous and malt liquors, rum and cider in said town.

13. To regulate and suppress gambling and gambling-houses, disorderly houses, bawdy-houses, and houses of ill fame, or assignation houses, and all houses where one or more men and women meet for purposes of prostitution or illicit cohabitation, and to fix the punishment for same.

14. To prevent and suppress the carrying of weapons, concealed or otherwise, prohibited by general laws; also to regulate the sale of fire-arms as now prohibited by law, and to regulate the storage, use, and sale of fire-crackers and all other fire-works, explosives, combustibles, and toy pistols.

15. To provide for the inspection, weighing, and measuring of stone coal, wood, and fuel brought to or sold in market or for use of the citizens of said town.

16. To provide for the extinguishment and prevention of fires, to organize and establish fire companies, and to regulate the carrying on of manufactories that may be dangerous in causing or producing fires; and, when necessary for public safety, to prohibit the erection of wooden buildings in crowded parts of the said town.

17. To establish a system of free schools, and maintain them by taxation, and to regulate said schools so

as to avoid sectarian influences; the tax for which shall not exceed the tax for school purposes levied by the state in any year.

18. To provide the town with water-works, or contract with others for doing so, to supply the inhabitants of the town with water; but, before any appropriation shall be made for such purposes, the question of providing such water-works shall be submitted to a vote of the qualified electors of said town, under appropriate ordinances, and receive a vote of two-thirds of such electors.

19. To impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for their recovery and appropriation.

20. To provide for the arrest, punishment, and imprisonment of any person guilty of riotous or disorderly conduct within the town by day or night, for the punishment of all breaches of the peace, noise, disturbances, or disorderly assemblies.

21. To provide for the arrest and confinement of all persons violating any of the corporate ordinances until trial, or for their release on appearance bonds until tried.

22. To provide for the appointment of special police force when the same shall be deemed necessary, and as may be determined by the council by ordinance.

23. To regulate, tax, license, or suppress the running at large of all animals within the corporate limits, to provide pounds for the confinement of the same, and to impound them, and in default of redemption, to sell or dispose of same in manner provided by ordinances of corporation.

24. To pass all ordinances not contrary to the constitution and laws of the state that may be necessary to carry out the full intent and meaning of the objects of the incorporation of said town.

25. To commit any person who may fail or refuse to pay or secure any fine or cost imposed on him or her in pursuance of any ordinance of said corporation to the prison or work-house of said town, or to the jail or work-house of Hawkins county until such fine and cost be fully paid or secured; every person so committed to said prison, jail, or work-house shall be required to work for the town at such labor as his or her health and strength will permit within or without such prison, jail, or work-house not exceeding ten

hours per day, and for such work the person so employed shall be allowed, exclusive of his board, not less than forty cents per day for each day worked, as a credit upon such fine and cost until the same is fully discharged, when he or she shall be released; *Provided*, That no person shall be compelled to work longer than three months for any one offense.

26. To contract with the county of Hawkins to be allowed to commit prisoners to jail or work-house of said county upon terms to be agreed upon.

27. To prepare and have published in pamphlet form, for general distribution, a digest or compilation of all ordinances and resolutions of a public nature, passed for the government of said town or corporation, or in force, within six months after the passage of this act, and as often thereafter as same may be needed.

28. No member of the town council shall become a bondsman for any agent, officer, or servant of the town, or be interested directly or indirectly in any contract with the corporation, or in which the corporation is pecuniarily concerned; nor shall any officer of the town council vote on any proposition in which he has a pecuniary interest.

29. To judge of the qualifications, elections, and returns of its own officers; to prescribe rules for the determination of contested elections, and to determine all questions in cases of ties in any election; to determine how vacancies shall be filled, and to prescribe rules for the government of the board of mayor and aldermen.

SEC. 3. *Be it further enacted*, That the officers of said corporation, to be elected as hereinafter provided, shall be a mayor and board of aldermen, all of whom shall be citizens of and qualified voters in said town, and shall have resided therein, immediately preceding their election, for the period of one year. The board of aldermen shall consist of six members, to be chosen by the qualified voters of said town for the period of two years; and the mayor or any alderman removing from said town shall vacate his office.

Officers—qualifications of.

SEC. 4. *Be it further enacted*, That the board of mayor and aldermen shall, at the first meeting after their election to office, elect a recorder, marshal, and such other officers, agents, and servants as they may deem necessary, and may provide for, by ordinance, and shall have power to prescribe the duties of same, if not fixed by this act, all of which officers, agents,

Board shall elect officers, prescribe duties, fix compensation; may dismiss for cause.

and servants shall be citizens and voters in said town. The board shall also fix the compensation of such officers, agents, and servants before their election, which compensation shall not be increased nor diminished during their continuance in office. The board shall have power to dismiss any officer, agent, or servant elected or appointed by them for any misdemeanor, misconduct, or incapacity to properly discharge the duties of such office as he may hold, two-thirds of the aldermen voting in favor of such dismissal. The board shall also fix the salaries of the mayor and aldermen succeeding them in office, which compensation shall not be changed by any new board during their continuance in office.

Oath.

SEC. 5. *Be it further enacted*, That the mayor and aldermen, before entering upon the duties of office, and all other officers appointed by them, shall take an oath, to be administered by the recorder or a justice of the peace, to faithfully, honestly, and impartially discharge all their official duties and to support the constitution of the United States and the constitution of the State of Tennessee.

Election for  
mayor and  
aldermen.

SEC. 6. *Be it further enacted*, That the election for mayor and aldermen of the said town of Rogersville shall be held by the marshal of said corporation, aided by two clerks only and three judges, all of whom shall be legal voters of said town, on the first Saturday of February every two years, after giving ten days' notice. The voters shall vote by ballot, and under such rules and regulations as the board of mayor and aldermen may prescribe by ordinance, as to time, place, etc., of voting. The officers thus elected shall go into office on the second Saturday of February following their election, and shall hold office for the period of two years, or until their successors are duly elected and qualified. The following shall be the qualifications for voting at such elections:

Qualifications  
of voters.

(1) Each voter shall be qualified to vote for state and county officers.

(2) He shall have resided for six months next preceding the election within the town limits, as hereinafter designated and defined, or shall be a *bona fide* owner of real estate within the limits of said town, as shown by assessment next preceding his offer to vote.

(3) A voter's residence is hereby defined to be the place where he habitually sleeps.

SEC. 7. *Be it further enacted*, That the judges and



clerks to hold the election shall be sworn according to the election laws of the state, and the election shall be conducted as the state and county elections are, by virtue of the laws of the state. The judges and clerks shall file the poll-lists and tally-sheets with the recorder within two days after the election, who shall preserve the same.

Judges and clerks of election.

SEC. 8. *Be it further enacted*, That the persons receiving the highest number of votes respectively for mayor and aldermen, shall be declared elected, and it shall be the duty of the officer holding such election to make out and deliver to the recorder a certificate of their election within three days thereafter, which certificate shall be produced at the first meeting of the board, and a minute thereof shall be made upon the records of the town; and, if the marshal shall fail to hold such election at the time herein mentioned, it shall be his duty to hold it as soon thereafter as may be, after giving requisite notice; and, for failure to hold such election as prescribed in this act, he shall forfeit and pay to the said corporation the sum of twenty dollars, to be recovered by action of debt in name of the town of Rogersville; and, if there be no marshal, or if he be a candidate for office at such election, or he be incompetent for any reason, the election shall be by a person to be appointed by the mayor and aldermen, under the same regulations and penalties hereinbefore prescribed.

Who elected—certificate.

Failure to hold election; incompetency of marshal.

SEC. 9. *Be it further enacted*, That all property, real, personal, and mixed, subject to state and county taxes, and all persons liable for poll-tax, when the same shall have become duly assessed for taxation as now, or may hereafter be, provided by law, by the assessor or assessors directed to be appointed or elected under the general laws of the state, shall be the basis upon which property shall be taxed, and taxes collected by the mayor and aldermen of the town of Rogersville for municipal purposes.

Taxation—basis of.

SEC. 10. *Be it further enacted*, That as soon as practicable after said assessment-books are complete, it shall be the duty of the county court clerk of Hawkins County, from the said assessment-books in his possession, to make out and deliver to the recorder of the said town of Rogersville a list of all such properties and persons as are liable for taxation within the limits and boundaries of said town of Rogersville, for which lists the clerk shall be paid by the town; and

Tax list—who to make.

from such lists, adding thereto any names of persons or properties erroneously omitted and liable to taxation, the said mayor and board of aldermen shall, in such manner as they shall prescribe by ordinance, and, as provided otherwise by law, levy such taxes as may be required for corporate purposes, subject to restrictions hereinbefore contained and expressed, which taxes shall be collected by the county trustee, save that delinquent taxes shall be collected by the town marshal as hereinafter provided.

Quorum; duties  
of mayor; ordi-  
nances; veto.

SEC. 11. *Be it further enacted*, That a majority of the town council shall be a quorum to transact business. The mayor shall hold his office for two years and until his successor shall be duly elected and qualified, and a vacancy in the office shall be filled by the town council. It shall be a duty of the mayor to preside at all meetings of the council, to vote at the election of all officers elected or appointed by the board, and in all cases where there is a tie vote. All ordinances or resolutions shall be approved and signed by the mayor on or before the next meeting of the council, and the mayor shall have veto power, and if he shall refuse to approve any ordinance or resolution, he shall return the same to the council at its next meeting, with his reasons for such refusal, in writing, and said ordinance or resolution shall not be valid unless the council, by a vote of two-thirds, shall again pass the same, notwithstanding the mayor's veto; but if the mayor does not veto same as provided, it shall be valid without his signature. The mayor shall also take care that the ordinances of the town are duly enforced within the town limits, shall call special meetings of the council when he shall deem expedient, and shall perform such other duties as the town council shall, by ordinance or otherwise, impose upon him.

Recorder's  
court—jurisdic-  
tion; change of  
venue; appeals;  
further duties  
of recorder.

A recorder's court is hereby established, and the recorder, who may be chosen from the aldermen elected or from the other citizens of the town, is hereby vested with all the powers and authority of a justice of the peace in criminal cases, and shall have authority to try all offenses against the peace and dignity of the town of Rogersville, and all violations of the ordinances of said corporation; *Provided, however*, That a change of venue may be had in any case when affidavit is made by the accused and one disinterested party that justice, in their opinion, will not be meted out by the recorder, to any alderman of the town of

Rogersville, who is hereby authorized to try such cases; *And it is further provided*, That in case of absence of the recorder from the town, any alderman of the town may act as the recorder might in the trial of any criminal charge. In event any appeal be taken from the judgment of the recorder or any alderman in any matter, or from any fine or imprisonment imposed for violation of any of the ordinances of the said town, it shall be to the circuit court of Hawkins county, Tennessee. The person so appealing shall give bond and security for the payment of such fine and costs. It shall be the duty of the recorder to keep an accurate minute of all the proceedings of the town council in a book, which shall be provided for that purpose, which shall be at all times subject to inspection by any tax-payer. He shall issue privilege licenses and collect taxes on the same, and shall keep a correct account of the same and account therefor, and shall have supervision and care of the other town property, unless otherwise provided by ordinance. The recorder may be required by ordinance to act as treasurer of the town, and shall perform such other duties as shall be imposed upon him by ordinance of council.

The town treasurer shall receive from the marshal (and recorder when the recorder does not fill the position of treasurer), receipt for, take care of, and keep a correct account of all funds of whatsoever nature which may come into his hands. He shall keep such books as the town council may direct; he shall make out, present, and file with the mayor, or such officer as the council may direct, quarterly, or as often as required by the council, a full and explicit account and report of the finances under his control, exhibiting statement of receipts and expenditures of all kinds, which reports council may have published for the information of the town. Before entering upon the discharge of the duties of treasurer, whether the appointee be the recorder or some other person, he shall give bond, with good securities, to the town of Rogersville in double the amount likely to come into his hands, conditioned for the faithful discharge of all duties pertaining to his office, and that he will accurately and honestly account for all moneys coming into his hands belonging to said corporation; and in like manner and for like purposes the recorder and the marshal shall each give a bond in double the

Treasurer—  
duties, bond.

Bond of re-  
corder and mar-  
shal.

amount likely to come into the hands of either of them, with good security, to be approved by the town council, conditioned also for the diligent collection and faithful accounting for all moneys that shall or ought to come into the hands of either of them for fines, forfeitures, and other moneys due said town; and the marshal shall be liable upon his said bond for failing to collect money, to return process, or pay over money collected by process issued by the recorder or aldermen. All such bonds shall be made payable to the town of Rogersville, and shall be carefully filed and preserved, and the said recorder and marshal shall, as often as required, render to the board of aldermen full and complete statements of the finances under the control of each of them.

Fees.

SEC. 12. *Be it further enacted*, That the recorder and marshal shall receive such fees as justices of the peace and constables are authorized to receive for rendering judgments, issuing and service of processes, etc.; and they and the treasurer shall receive such other fees for other services as the council may allow them.

Tax—collection  
of delinquent.

SEC. 13. *Be it further enacted*, That, when any tax or duty shall be levied or imposed by said corporation upon any real estate lying within the town of Rogersville, and the owner or owners shall not pay the same, and the town marshal makes return of that fact, under oath, and the owner or owners have no personal property within said town upon which to distrain for said tax or duty, it shall be the duty of the recorder, by and with the consent of the council, to take such steps for the collection of the same as are or may be provided by the laws of the state.

Committees.

SEC. 14. *Be it further enacted*, That the mayor and town council shall have the power to appoint all committees, fix the number, and prescribe by ordinance the duties of same, and of each member thereof.

Police authority.

SEC. 15. *Be it further enacted*, That the police authority of the corporation shall extend one mile beyond the corporate limits in every direction to prevent fighting, quarreling, loud cursing or swearing or other unnecessary noise, boisterous or disorderly conduct, and disorderly assemblages or meetings, and to suppress bawdy houses and houses of ill fame, and for these purposes the town council may enact all such laws as shall be necessary in carrying out the object and meaning of this charter; and the town marshal, who shall be the chief of police, shall have authority,

as shall also those employed under him, to arrest offenders without warrant anywhere within the corporate limits, or for any of the offenses named in this section within one mile of said limits; and, with a warrant, anywhere in the county. That, when any person is arrested by marshal or deputies without warrants in hand, he shall proceed to have one issued and served, and the party notified of the time and place of trial, after which the recorder may take bond of the party in such amount as he shall deem sufficient, conditioned to be void if the party shall appear at the time and place fixed for trial, and not depart the court without leave, and, on failure to do so, to pay the amount of the bond.

Arrest—who may make, and how.

SEC. 16. *Be it further enacted*, That the mayor and council holding office in said town of Rogersville at the time of the passage of this act shall constitute the mayor and board of aldermen of said town of Rogersville under all the provisions and powers of this act, excepting their election, only until the time fixed by this act for the election of a mayor and board of aldermen by the terms of this charter or act of incorporation.

Old board shall hold until election of new.

SEC. 17. *Be it further enacted*, That no person shall be eligible to election to any office in said corporation who shall then hold any office of profit or trust by election or appointment under the United States, the State of Tennessee, or Hawkins County.

Who ineligible to office.

SEC. 18. *Be it further enacted*, That this act is declared to be a public law, and may be read in evidence in all courts of law and equity, and all ordinances, resolutions, and proceedings of the town council may be proved by the seal of the corporation, attested by the recorder; and when printed and published by the authority of the council, the same shall be received as evidence in all courts and places without further proof, when certified by the recorder.

This act a public law and evidence, when.

SEC. 19. *Be it further enacted*, That boundary and limits of said town of Rogersville shall be as follows: Beginning at a planted rock on land of Dr. Jos. R. Walker, 18 poles west of house of Louisa Porter, and running thence north 26 degrees west 86 poles to stone on land of Mrs. J. Armstrong; thence south 55 degrees west 75 poles to post at west side of J. M. Gray's garden; thence north  $34\frac{1}{2}$  degrees west 30 poles to north-west corner of his yard; thence north 55 degrees east 10 poles to post near his gate; thence

Boundary.

north 34 degrees west, crossing street, and running by line of the P. Mitchell land 55½ poles to post at fence near south-west corner of house of Mary Charles; thence north 41 degrees east 83 poles to planted rock near fence of grave-yard; thence north 60 degrees east 14½ poles to corner of S. Henard's stable; thence north 26 degrees west 14 poles to stone at foot of knob; thence north 43½ degrees west 108 poles to planted rock; thence north 61 degrees east 41 poles to stone at side of street; thence south 22½ degrees east 34½ poles to post at corner of lot of Dr. S. M. Miller; thence north 39 degrees east 118 poles to planted rock; thence south 26 degrees east 190 poles to planted stone on land of Miss Mary McKinney; thence south 59 degrees west a straight line to the beginning, passing about ten feet to the south of house of Samuel L. Chesnutt.

Personal liability of mayor and board.

SEC. 20. *Be it further enacted*, That the board of mayor and aldermen of the town of Rogersville shall create no debt of any character or for any purpose in any one year, which the taxes and revenue of said town for such year shall not be sufficient to fully pay. Any one or more of said board of aldermen voting for any ordinance or resolution creating such debt, and the mayor, if he fails to veto same, shall be personally liable for the amount of such debt or debts.

SEC. 21. *Be it further enacted*, That all laws and parts of laws in conflict with this act are hereby repealed.

SEC. 22. *Be it further enacted*, That this act shall take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 109.

AN ACT to legalize the issuance of county bonds or county funding warrants issued by county courts of this state to fund outstanding indebtedness, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all bonds or funding warrants issued during the month of May, in the year 1891, by the county courts of this state, upon the authority of a majority of the justices of each county, for the taking up or redemption of valid outstanding indebtedness of the respective counties, are hereby declared to be lawful, and made the binding obligations of said counties. Certain bonds declared lawful.

SEC. 2. *Be it further enacted*, That the several county courts of this state having issued bonds or funding warrants as described in the first section of this act, may re-issue any of said bonds or funding warrants upon the surrender and cancellation by the chairman and clerk of the county courts, said new bonds or funding warrants to be issued upon same terms and conditions as old ones, being payable not exceeding ten years from date; *Provided*, A majority of the justices of the county shall authorize, at a quarterly term of the county court, said re-issuance of said bonds. Re-issuance authorized.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 110.

AN ACT to extend and fully establish and define the corporate limits of the town of McMinnville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporate limits of the town of McMinnville, Warren County, Tennessee, be so extended, established, and defined so as to be as follows: Beginning at the North Ford, on the Barren Fork river, and running thence with the meanders of said river, to the mouth of a branch, a corner between O. M. Thurman and B. Rice, thence with the dividing line between said Thurman and Rice, and on in a direct line through B. Rice's yard to the mouth of the Frank's Ferry road; thence with said road, but not including the same, to the corner of the lands of F. M. Smith and the C. Coffee heirs; thence on a direct line to the north-east corner of N. Shong's yard fence; thence with the northern line of N. Shong's yard, including his house and yard, to the Faulkner turnpike; thence on a direct line to a large oak tree standing on the side of the Smithville street, north-west of D. Osborn's house; thence across Smithville street on, so as to include the property of J. L. Gardett and H. A. Smith, to the lane leading from Smithville street to A. P. Seitz; thence with said lane to and including A. P. Seitz's house and yard, and thence on a direct line to and including the house and yard owned by the heirs of J. H. Hughes, deceased; thence down the lane leading from said Hughes property to the Nashville road, and on in a direct line to the Nashville road, and on in a direct line to the Barren Fork river; thence down said river with its meanders to the railroad bridge; thence with the railroad, and including the same, to the highway bridge on Bersheba street; thence to the north-west corner of the new cemetery; on with the west and south boundary lines of the new cemetery, to the point of intersection of the old barrel-factory property, southern boundary line of the new cemetery; thence on a direct line to a point of the bluff on the Barren Fork river near what is known as the Bersheba swimming-hole; thence down the Barren Fork river to the Bersheba



ford; thence up the Bersheba street to the mouth of the lane leading to the house of J. G. McGuire; thence in a direct line to the North ford, the beginning..

SEC. 2. *Be it further enacted*, That all acts and parts of acts of the General Assembly of the State of Tennessee in conflict with this act be, and the same are hereby, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 111.

AN ACT to authorize, ratify, and confirm an order and decree of the county court of Henderson County, pronounced by said court, conceding to the town of Lexington, Tennessee, or other person or persons subscribing and paying thirty five thousand dollars to the capital stock of the Paducah, Tennessee and Alabama Railroad Company all the taxes assessed and collected on the property, rights, privileges, and franchises of said railroad company within the county of Henderson, except the taxes assessed and collected for state purposes, and directing the trustee and all other officers collecting revenue for said county to pay over such tax when collected to said corporation or town, or such other person or persons entitled thereto.

WHEREAS, The quarterly court of Henderson County, Tennessee, at a special session held on the ninth day of June, 1892, in view of the contemplated construction of the Paducah, Tennessee and Alabama Railroad Company from Hollow Rock, Tennessee, to a junction with the Tennessee Midland Railway, at or near the town of Lexington, Tennessee, and in view of the fact that all the citizens and tax-payers of

*Preamble.*

the town of Lexington, excepting three or four, obligated and pledged themselves in writing, that if said Paducah, Tennessee and Alabama Railroad Company would construct its railroad from Hollow Rock to Lexington, Tennessee, to a junction with the Tennessee Midland Railway within the corporate limits of said town, they, the individual citizens of said town, would pay to the Paducah, Tennessee and Alabama Railroad Company, or cause the town of Lexington to pay to said Paducah, Tennessee and Alabama Railroad Company, twenty thousand dollars, and take in exchange therefor twenty thousand dollars of the capital stock of said company; and,

WHEREAS, The building of said railroad into said county, and to the town of Lexington, would bring a large amount of taxable property into the county, and also largely increase the value of the property of said county, and, recognizing the fact that the construction and operation of said railroad to said town would be of incalculable value and benefit to every citizen of the county; and,

WHEREAS, The citizens and tax-payers of said town of Lexington proposed in their individual capacity to subscribe, or to cause the municipality of the town of Lexington to subscribe, the amount required by said Paducah, Tennessee and Alabama Railroad Company in order to bring its railroad to Lexington, if said county court would concede to said town of Lexington, or to such person or persons that paid this required amount, or their assignees, the benefit of all the taxes, except the state tax, assessed and collected on the property, rights, privileges, and franchises of said Paducah, Tennessee and Alabama Railroad Company within Henderson County for twenty consecutive years from the first day of January, 1893; and,

WHEREAS, In order to encourage and to assist said citizens to bring said railroad to the town without cost to said county, and in order to largely increase the amount of the taxable property in the county, said quarterly court did at said special term, June 9, 1892, proposed to and did order and decree that all the taxes to be assessed and collected within Henderson County against the property, rights, privileges, or franchises of the Paducah, Tennessee and Alabama Railroad Company, or its successors, except the tax assessed and collected for state purposes, should be appropriated and paid to the town of Lexington or such

other person or persons, or their assignees, that might subscribe, guarantee, or pay said twenty thousand dollars to the Paducah, Tennessee and Alabama Railroad Company for and during the full term of twenty consecutive years from the first day of January, 1893, to be applied, first, to the payment in full of the principal and interest of the fifteen thousand dollars subscribed and paid to said railroad company by the individual citizens of the town of Lexington, and to be paid to the town or person or persons paying the same, or their assignees; second, if said sum of fifteen thousand dollars, with all interest, is paid off and discharged in full before the expiration of said twenty years, then said taxes shall be applied to the payment of the principal and interest in full of the five thousand dollars which said citizens guaranteed should be subscribed by the corporation of Lexington to said railroad company, and shall be paid to said town, or to any and all persons liable for the issuance of said five thousand dollars, for the payment of the same; third, if the said sums of fifteen thousand and five thousand dollars, together with all interest in full, shall be paid before the expiration of twenty years, then for the remainder of said term these said taxes shall be paid to the town of Lexington. All of which order and decree of said special term, June 9, 1892, of the quarterly court of Henderson County, Tenn., appears of record upon the minute-book of said court; and,

WHEREAS, Said twenty thousand dollars were subscribed by the individual citizens of said town of Lexington to the capital stock of said Paducah, Tennessee and Alabama Railroad Company, with the expressed understanding, intention, and agreement of all the citizens and tax-payers of said town that said obligation and subscription should be assumed by the corporation of the town of Lexington as soon as such legislation could be had as was necessary to enable and authorize said town to issue its bonds therefor, and with the further understanding, intention, and agreement that the said town of Lexington, or said citizens subscribing and paying said twenty thousand dollars, should have the benefit of all the taxes assessed and collected against said railroad company within said county, except taxes collected for state purposes, for said period of twenty years; and,

WHEREAS, Said railroad has been constructed, and

is now in operation from Hollow Rock to Lexington, Tenn., as was contemplated and agreed; therefore,

Certain taxes to  
be paid town of  
Lexington.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county court of Henderson County is hereby authorized and empowered, pursuant to the order and decree pronounced at its special term, June 9, 1892, to pay over to said town of Lexington all the taxes which are, or shall be assessed and collected on the property, rights, privileges or franchises of said Paducah, Tennessee and Alabama Railroad Company, or its successors within Henderson County, except the taxes assessed and collected for state purposes, as soon as said town shall have, by a vote of its citizens, purchased or assumed said twenty thousand dollars subscription to the capital stock of the Paducah, Tennessee and Alabama Railroad Company, and shall have issued its bonds therefor. Until said town does purchase or assume said twenty thousand dollars subscription to the capital stock of said railroad company, and does issue its bonds therefor, the said county court is authorized and empowered, under its said order and decree, to pay to such person or persons who may, or have subscribed the said twenty thousand dollars to the capital stock of the said Paducah, Tennessee and Alabama Railroad Company, or paid the same, or their assignees, the taxes hereinabove directed and authorized to be paid to the town of Lexington, for the full term of twenty consecutive years from January 1, 1893.

Tax collectors  
to pay over tax.

SEC. 2. *Be it further enacted*, That the trustee and all other officers of Henderson County who collect any revenue for said county, are hereby authorized and directed to pay over all the taxes, except the taxes for state purposes, collected on the property, rights, privileges, or franchises of said Paducah, Tennessee and Alabama Railroad Company, within Henderson County, as soon as the same shall be collected as is provided and directed in Section 1 of this act.

Action of  
county court  
ratified.

SEC. 3. *Be it further enacted*, That the action of the county court of Henderson County at its special term June 9, 1892, above referred to and cited, and as the same appears of record upon the minute book of said court, be, and the same is hereby, in all things authorized, ratified, and confirmed.

SEC. 4. *Be it further enacted*, That this act take

effect from and after its passage, the public welfare requiring it.

Passed March 16, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 112.

AN ACT to repeal Chapter 135 of the Acts of 1891, entitled "An act to create and establish a chancery and law court at Cumberland Gap, in Claiborne County."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That Chapter 135 of the Acts of 1891, entitled "An act establishing and creating a chancery and law court at Cumberland Gap, in Claiborne County," be, and the same is hereby, repealed.*

SEC. 2. *Be it further enacted, That all cases that shall not be finally disposed of at the May term, 1891, of said courts shall be transferred to the respective courts at Tazewell, the county site of Claiborne County; and the circuit court at Cumberland Gap, at its said May term, 1891, shall take from all parties who may be indicted or presented by the grand jury of said court, and whose cases are not finally disposed of, bonds or recognizances for their respective appearances at the next succeeding term of said circuit court at Tazewell; and all papers and records of said law court at Cumberland Gap shall be deposited with the clerk of the circuit court at Tazewell, and the same shall be a part of the records of said circuit court of Claiborne County, whose clerk shall have authority to certify same. Whenever same may be required, all papers and records of the chancery court at Cumberland Gap shall be transferred to and deposited with the clerk and master of the chancery court at Taze-*

well, who shall be the proper custodian of same, and authorized to certify same when required.

SEC. 3. *Be it further enacted*, That this act take effect from and after June 1, 1893, the public welfare requiring it.

Passed April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 113.

AN ACT to change the boundary lines of the corporation of Morristown, in Hamblen County, Tennessee, and to extend and define the limits thereof.

Boundary.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporate limits of the town of Morristown, in Hamblen County, Tennessee, be, and the same are hereby, extended, so as to include therein all the territory included in and covered by the following metes and bounds, to wit: Beginning at a monument to be planted where the Stubblefield branch passes under the East Tennessee, Virginia and Georgia railroad, at a point under the center of said track, and centrally between the abutments of the bridge across said branch; thence north 8 degrees 31 minutes west 266.1 feet to a monument to be planted on the east corner of East Avenue and Main Street; thence along the east side of East Avenue north 28 degrees 49 minutes west 1,612 feet to a monument to be planted; thence south 80 degrees 04 minutes west 1,677.85 feet to a monument to be planted, 35 feet north of north-east corner of the Morristown cemetery; thence a parallel line with the

north line of said cemetery north 88 degrees 21 minutes west 2,541.30 feet to a monument to be planted on the east side of the Bean's Station road; thence south 45 degrees 46 minutes west 5,804.9 feet to a monument to be planted in J. E. Hodges' lane; thence south 29 degrees 34 minutes east 2,291.4 feet to a monument to be planted at the intersection of Main Street and Fairmount Avenue; thence south 12 degrees 18 minutes east 1,349.78 feet to a monument to be planted; thence north 70 degrees 17 minutes east 1,800.15 feet to a monument to be planted at the intersection of Lotspeich and West End Avenue; thence north 68 degrees 07 minutes east 3,361.30 feet along the center of Lotspeich Avenue to a monument to be planted near the track of the C., C. G. & E. railroad; thence north 59 degrees 31 minutes east 2,048.10 feet to a monument to be planted; thence north 62 degrees 08 minutes east 1,090.80 feet to a monument to be planted near the Stubblefield Creek, and on the west side thereof; thence north 24 degrees 15 minutes west 560 feet to a monument to be planted; thence north 11 degrees 50 minutes east 485 feet to a monument to be planted; thence north 1 degree 25 minutes east 525 feet to a monument to be planted; thence north 17 degrees 40 minutes east 1,032.30 feet to the beginning.

SEC. 2. *Be it further enacted*, That all laws of the State of Tennessee appertaining to the said town of Morristown as a municipal corporation, and to taxation of real estate therein, and to its board of mayor and aldermen and other officers, and all ordinances of said board of mayor and aldermen in force at the date of taking effect of this act, shall apply to and be in force in the territory included in the boundaries recited in the first section of this act. This act shall not be held or construed to modify or repeal any law of the state or ordinance of said municipality, except only to change the boundary lines thereof as provided in the first section hereof; and it is expressly provided that land within these limits, used for farming purposes only, shall not be liable for corporation taxes until laid off into town lots.

Laws and ordinances effective in new boundary.

SEC. 3. *Be it further enacted*, That no taxes shall be levied by said board of mayor and aldermen of Morristown upon the property without the limits of said corporation as defined by former acts, and within the limits defined by this act, for the year 1893.

SEC. 4. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 114.

AN ACT to amend Chapter 2, Acts of 1891, passed March 26, 1891, and approved March 28, 1891, entitled "An act to regulate the business of building and loan associations," and to prescribe for the more complete examination of said associations, and the payment therefor.

Preamble.

WHEREAS, The treasurer of the state is kept busily engaged attending to the proper regular duties of his office, and has not the adequate time to properly investigate the building and loan associations of the state *per se*, as now required by law; and,

WHEREAS, It is of great importance to the people of the state that said associations should be regularly investigated, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 11 of the act mentioned in the caption of this act, being Chapter 2, Acts of 1891, is hereby amended so as to read as follows:

State treasurer  
to examine cer-  
tain associa-  
tions—how.

"*Be it further enacted*, That it shall be the duty of the treasurer of the state, once in each year, at such time as he may select, to have the books and statements of each association governed by this act, and doing business under the laws of this state, examined and verified, and, for that purpose, he is hereby authorized and empowered to employ an agent or expert to do same, who shall be subject to removal at any time by the treasurer."

Fees.

SEC. 2. *Be it further enacted*, That said expert or agent shall be allowed a fee of twenty-five dollars for examining each association, and three dollars per day



as traveling and other expenses, which said associations are hereby required to pay.

SEC. 3. *Be it further enacted*, That any and all parties <sup>Penalty.</sup> violating any of the requirements of this act, are hereby declared guilty of a high misdemeanor, and shall be subject to a fine of twenty-five dollars per day for each day's violation thereof, and the treasurer of the state may maintain action in his name for the recovery of said fine.

SEC. 4. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 115.

AN ACT to amend the charter of the town of Johnson City, in the county of Washington, provide for an election of officers, prescribe their duties, and for other purposes.

*Be it enacted by the General Assembly of the State of Tennessee, as follows:*

### ARTICLE I.

#### CORPORATE NAME AND BOUNDARIES.

SECTION 1. That the inhabitants of the town of <sup>Incorporation.</sup> Johnson City, in the county of Washington and State of Tennessee, be, and they are hereby, constituted a body-politic and corporate, under the name

and style of "Mayor and Aldermen of the Town of Johnson City," and by that name shall have perpetual succession, may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real, mixed, and personal property, and may have and use a corporate seal, and may alter the same at pleasure.

Boundary.

SEC. 2. *Be it further enacted*, That the corporate boundaries of the town of Johnson City shall be as follows, to wit: Beginning at a point in the center of the main track of the East Tennessee, Virginia and Georgia Railroad south-westerly from the present center of the corporation of Johnson City, and distant one mile therefrom measured in an air line; then south 47 degrees and 15 minutes east 1 mile to a planted stone; thence north-easterly  $3\frac{1}{4}$  miles to a planted stone on the line between the counties of Washington and Carter; thence north-westerly with the north-eastern boundary line of the town of Johnson City, as defined by Section 35 of Chapter 126 of Acts of 1889, to the point where said line crosses the north-western line of the right of way of the East Tennessee, Virginia and Georgia Railroad; thence in a south-westerly direction with the outside westerly line of said right of way to its intersection with the north line of Iron Street; thence in a westerly direction with the north line of Iron Street and its prolongation to its intersection with the north-western line of said boundary of 1889; thence south-westerly with said boundary line of 1889 to a planted stone located one mile north 47 degrees and 15 minutes west from the place of beginning; thence south 47 degrees and 15 minutes east to the beginning corner.

Wards.

SEC. 3. *Be it further enacted*, That the board of mayor and aldermen may divide the town into wards, either two or four in number, and define their boundaries by ordinance, and may from time to time alter the same; *Provided*, That no change in ward lines shall be made to take effect within one whole year next succeeding such change; *And provided*, That until fixed by ordinance of the board of mayor and aldermen, the town shall be divided into wards as follows, to wit: All that portion of the town lying south and east of the East Tennessee, Virginia and Georgia Railroad track shall be known as the first ward, and all that portion of the town lying north and west of said railroad track shall be known as the second ward.

## ARTICLE II.

### OFFICERS AND ELECTIONS.

SEC. 1. *Be it further enacted*, That on the fourth Wednesday in March, 1893, an election shall be held in the town of Johnson City for the election of a mayor, seven aldermen, and a town constable, under the provisions of Chapter 126 of the Acts of 1889—  
“An act to amend the charter of the town of Johnson City, in the county of Washington, and to embrace all of the said charter in one act.” On the fourth Wednesday in March, 1894, an election shall be held by the qualified electors of the town of Johnson City for the election of a mayor, eight aldermen, and a town constable; *Provided*, That four of said aldermen, “an equal number from each ward as hereinafter provided,” shall, at said first election, be elected for a term of one year.

Mayor, aldermen, and constable—election of.

SEC. 2. *Be it further enacted*, That on the fourth Wednesday of March of every second year thereafter such an election shall be held for the election of a mayor, four aldermen (an equal number from each ward), and a town constable.

SEC. 3. *Be it further enacted*, That on the fourth Wednesday of March, 1895, and every second year thereafter, such an election shall be held for the election of four aldermen.

SEC. 4. *Be it further enacted*, That at said election on the fourth Wednesday of March, 1894, and at each succeeding election herein provided for, an equal number of aldermen shall be elected from each ward of the town; said aldermen shall reside at the time of their election in the ward from which they are elected, and shall be elected by the qualified voters of that ward, to the end that each ward may have an equal representation in the board.

SEC. 5. *Be it further enacted*, That every officer of the town, whether elected by the qualified electors or by the board of mayor and aldermen, shall have been a resident of the State of Tennessee for one year, and a resident of the town of Johnson City for at least six months previous to his election, and shall reside within the town during his term of office; and the aldermen shall have resided in their respective wards for sixty days preceding their election, and shall continue to reside therein during their term of office.

Officers—qualifications of.

Elections—who  
to hold; results  
—how deter-  
mined; certifi-  
cate of election.

SEC. 6. *Be it further enacted,* That all elections (except said election on the fourth Wednesday of March, 1893) shall be held by the chief of police of the town, under rules and regulations to be prescribed by the board of mayor and aldermen, and after twenty days' advertisement of same; *Provided,* That there shall be at least one voting place in each ward. The poll-list and tally-sheets shall be returned to the board of mayor and aldermen within three days after the election, and said board shall canvass the vote in open session, and, by resolution, declare the result, causing certificates of election to issue under the seal of the corporation, signed by the mayor and countersigned by the recorder. Nothing herein appearing, however, shall be construed to conflict with the general statute governing elections.

Qualifications  
of voters.

SEC. 7. *Be it further enacted,* That all persons who are qualified to vote for members of the General Assembly of the State, and who have been actual residents of the town for ninety days prior to the election, shall be entitled to vote in all municipal elections.

Term of office.

SEC. 8. *Be it further enacted,* That said officials so elected shall hold their offices for two years, from the first Wednesday in April of the year in which elected, or until their respective successors are elected and qualified, except the four aldermen elected for one year, as is provided in Article 2, Section 1, herein; *And provided,* This section shall not apply to the mayor, seven aldermen, and town constable elected on the fourth Wednesday in March, 1893, who shall hold their offices for one year, and until their successors are elected and qualified.

Vacancy.

SEC. 9. *Be it further enacted,* That if there should be a vacancy in the office of alderman, by the reason of death, resignation, or of removal, the same may be supplied by the election by a majority of the board of mayor and aldermen of some qualified elector residing in the ward as to which the vacancy exists. In the event there is a vacancy in the office of mayor, the aldermen shall elect one of their number to that office. In the event there is a vacancy in the office of town constable, the board of mayor and aldermen shall fill same by the election of a qualified elector. Any person so elected to fill a vacancy, shall hold office until the next regular election, or until his successor is elected and qualified.

SEC. 10. *Be it further enacted,* That the board of <sup>Recorder and</sup> mayor and aldermen shall, on the first Wednesday of <sup>city attorney.</sup> April, 1893, elect a recorder and a city attorney, whose term of office shall be for one year, or until their successors are elected and qualified. On the first Wednesday in April, 1894, and on the same day of every second year thereafter, the board of mayor and aldermen shall elect a recorder and city attorney, whose term of office shall be two years, and until their successors are elected and qualified. The recorder shall, before entering upon the discharge of his duties, execute a bond or bonds, the terms and amounts thereof to be determined by the board of mayor and aldermen.

SEC. 11. *Be it further enacted,* That said board shall <sup>Police.</sup> elect a chief of police, and as many assistant police as may be deemed necessary, for such terms of office and under such rules and regulations as may be considered advisable by the said board.

SEC. 12. *Be it further enacted,* That every officer of the town shall, before entering upon the discharge of the duties of his office, take an oath before some <sup>Oath of office.</sup> justice of the peace of Washington County to faithfully and honestly discharge the duties incumbent upon him to the best of his ability. Such oaths shall be in writing, and filed in the office of the recorder, except that of the recorder, which, together with the recorder's bond, shall be filed with the mayor.

SEC. 13. *Be it further enacted,* That the salaries and <sup>Salaries and fees.</sup> fees of all officials appointed by the board of mayor and aldermen shall be fixed by said board, but the salary and fees of the recorder shall not exceed twelve hundred dollars per annum in aggregate.

SEC. 14. *Be it further enacted,* That the board of mayor and aldermen may require a bond of any municipal officer, and fix upon the amount and terms thereof; and such bonds shall be required of the recorder and city constable. <sup>Bonds.</sup>

### ARTICLE III.

#### LEGISLATIVE DEPARTMENT.

SEC. 1. *Be it further enacted,* That the legislative <sup>Legislative power.</sup> power of the town of Johnson City shall be vested in the board of mayor and aldermen, consisting of a mayor and eight aldermen, to be elected as provided in Article II. herein.

Meetings of  
board.

SEC. 2. *Be it further enacted*, That the board of mayor and aldermen shall, by ordinance, fix the times at which the regular meetings of said board shall be held, and provide for the manner in which special meetings of the same may be called. Until otherwise provided by ordinance, the regular meetings of said board shall be at 1 o'clock P.M. on the first and third Thursdays of each month.

Quorum.

SEC. 3. *Be it further enacted*, That a majority of the members of the board of mayor and aldermen shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time, and, under an ordinance for that purpose, may compel the attendance of absent members by fines and penalties.

Rules.

SEC. 4. *Be it further enacted*, That the board of mayor and aldermen may determine its own rules of procedure, except as herein provided, and prescribe the punishment of its members for non-attendance or disorderly conduct, and enforce the same.

Salary of board.

SEC. 5. *Be it further enacted*, That the salary of members of the board of mayor and aldermen shall be fixed, by ordinance, by the board at least six months preceding the term of office for which the salary is fixed; *Provided*, The mayor elected on the fourth Wednesday of March, 1893, shall receive a salary of three hundred dollars for the first year of his term of office, and the aldermen elected at said time shall receive a salary of fifty dollars for the first year of their term; *Provided*, The chairman of the street committee shall receive additional compensation of one hundred and fifty dollars, and the chairman of the finance committee shall receive an additional compensation of one hundred dollars, for said first year of their term.

Record of proceedings and  
ordinances.

SEC. 6. *Be it further enacted*, That a full and complete record of the proceedings of the board of mayor and aldermen shall be kept by the recorder. The recorder shall keep a separate book, called the "Ordinance Book," in which shall be recorded all the general ordinances passed by the board: The vote shall not be taken upon any ordinance, resolution, or motion, except motion to adjourn, unless the same is reduced to writing.

As to  
ordinances.

SEC. 7. *Be it further enacted*, That the style of the ordinance of the town of Johnson City shall be, "Be it ordained by the board of mayor and aldermen of the town of Johnson City." Every ordinance shall

be read before the board, and on three different days. No ordinance shall become a law until it shall have been read and passed on three different days, and shall have received, on its final passage, the assent of a majority of all the members of the board. No ordinance of a general nature shall take effect until ten days after its passage, unless the same shall provide that it should take effect sooner.

SEC. 8. *Be it further enacted*, That the board of mayor and aldermen shall have control of the finances Finances. of the town, and all the property of the corporation—real, personal, and mixed—and shall have the power by ordinance—

1. To levy and collect taxes upon all property, priv- Tax.  
ileges, and polls, in the town of Johnson City, taxa-  
ble under the law of the State of Tennessee.

2. To license, tax, and regulate any and all lawful occupations, privileges, business-places, amusements, Privileges. and places of amusements declared to be privileges by the law of the state, and to fix the rate of charge for the carriage of persons and property within the town, and to the public works, parks, property, and cemeteries of the town, by licensed hackmen, omnibusmen, carriagesmen, draymen, expressmen, and street railway companies.

3. To establish quarantine regulations and Sanitary regulations. laws, and to enforce the same within the town, and within five miles thereof; to prevent the introduction and spreading of contagious diseases; to establish, maintain, and regulate hospitals, and secure the general health of the inhabitants by any necessary means; to provide for the management and regulation of slaughter-houses; to prevent or regulate the driving of stock through the city; prohibit the erection of soap factories, stock-yards, slaughter-houses, pig-pens, cow-stables, dairies, and other nuisances of like character within the prescribed limits, and to remove and regulate the same; to regulate or prevent the carrying on of any business which may be dangerous or detrimental to public health, or the manufacture or vending of articles obnoxious to the health of the inhabitants, and to declare, prevent, or abate nuisances on public or private property, and the cause thereof.

4. Establish fire limits, and make and enforce such Fire limits. general regulations by ordinance for the prevention and extinguishment of fires as the board may deem

necessary, and to organize, equip, maintain, and regulate fire companies. To regulate the storage of illuminating oils, dynamite, gun-powder, tar, pitch, resin, and all other explosive or combustible material, and to regulate or prohibit the use of fire-arms and fire-works of all kinds, and to regulate, restrain, or prohibit the carrying on of manufactories dangerous in causing fires.

Fire escapes.

5. To regulate the construction of suitable fire escapes in or upon buildings, and suitable appliances for the extinguishment of fire therein when necessary for the safety of the occupants.

Water-works.

6. To provide the town with water by contract or otherwise; to construct wells, cisterns, and reservoirs; to erect pumps and hydrants; to lay pipes for conducting and distributing water over the town; to keep the same in repair; to acquire and own water-works or stock in any water company organized for the purpose of supplying the town with water for domestic, irrigating, mechanical, and other purposes; to acquire, by purchase or condemnation proceedings under the general laws of this state, water-rights and sites for public buildings and parks of the city, or between the town and the source from which the water is to be taken, and to such condemnation proceedings the possession of a franchise shall be no bar upon the proper and legal compensation being paid to construct or purchase water-works for the use of the town; and to enlarge their capacity from time to time, and to keep the same in repair, and generally to do whatever may be needful and necessary to be done, by contracting with water companies or otherwise, in order to supply the town with water for fire, irrigating, domestic, mechanical, and other purposes, and to regulate the prices to be charged private consumers therefor.

May close wells.

7. To provide for the temporary or permanent closing of wells and springs used by the public whenever the same are injurious to health.

Streets and public buildings.

8. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve and keep in repair streets, avenues, alleys, side-walks, drains, and sewers, and to erect, establish, and repair bridges, culverts, and to provide for lighting the streets, and for the planting and protection of shade-trees upon the streets, avenues, and parks or other public grounds, and for the erection of all buildings necessary for the public use of the town.



9. To provide for inclosing, improving, and regulating the public parks and other public grounds of the town, and to make all such provisions and regulations with regard to improvements, preservation, platting, and ornamenting any ground for a cemetery or cemeteries owned by the town, either within or without the limits of the town, as they may deem proper. Public grounds.

10. To provide for the construction and repair of sidewalks and foot pavements; and if the owner of any lot or lots shall fail to comply with the provisions of said ordinance, within such time as may be prescribed therein, the board of mayor and aldermen, through any officer or agent they may designate, may contract for the construction or repair of such sidewalks or pavements, and the town shall pay for the same, and the amount so paid shall be a lien upon such lots or property, and may be enforced by attachments at law or in equity, or the amount may be recovered against said owner, by suit, before any court of competent jurisdiction. Sidewalks.

11. To take and appropriate land for widening the streets or parts of streets, or for laying out new streets, avenues, squares, parks, promenades, or other public grounds, when the public convenience or necessity requires it, in the manner provided in Section 1562 and Sections 1661, 1662, 1663, 1664 of Miliken & Vertrees' compilation of the laws of Tennessee. May condemn land.

12. To grant the right of way to the streets, alleys, avenues, squares, and other public places of said town, for the purposes of street railroads or other railroads, telephones, telegraphs, gas-pipes, electric lights, and such other purposes as the board may deem proper; *Provided*, They shall not grant the exclusive right to the use of streets and thoroughfares to any person, company, or corporation for more than twenty years. To regulate the laying of railroad tracks of all kinds; to regulate the passage and speed of railroad engines, cars, and trains of cars within the town limits; to compel railroad companies to furnish such gates and watchmen as the public safety may require, and to compel said companies to construct and maintain proper, substantial, and sufficient crossings at the points where the streets, avenues, and thoroughfares of the town cross the track of said companies. Rights of way. Railroads—to regulate.

13. To regulate parapet and partition walls, and

**Partition walls, flues, etc.** to prevent the dangerous construction and condition of chimneys, flues, fire-places, hearths, stoves, stove-pipes, ovens, boilers, and all kinds of fire apparatus, and to cause the same to be removed, or placed in a safe and secure condition when considered dangerous; and to prevent the deposit of ashes and cinders in improper places.

**Theaters, etc.** 14. To regulate the size, number, and manner of construction of the doors and stairways of theaters, tenement-houses, audience-rooms, and all buildings used for the gathering of a large number of people, whether now built or hereafter to be built, so that there may be convenient, safe, and speedy exit in case of fire.

**Obstructions in the streets.** 15. To remove all obstructions from the streets, alleys, avenues, and sidewalks within the town, and to prevent and remove all encroachments upon, or into, said streets, avenues, alleys, and sidewalks.

16. To compel all persons to keep the snow, ice, and dirt from the side-walks in front of the premises occupied by them, and if not occupied, then to compel the same to be done by the owners or their agents.

**Street cars.** 17. To regulate the running of horse railway cars or cars propelled by dummy engines or cable or electricity, the laying down track for the same, the form and kind of rail to be used, and the transportation of passengers thereon, and to require all railway companies using the streets to lay their tracks at the official grade thereof, and to compel them to grade, pave, or macadamize and keep in repair the streets between the rails of their tracks, and for the distance of two feet on each side of the same at their own expense.

**Stock at large.** 18. To restrain or prohibit cattle, hogs, horses, sheep, dogs, fowls, and all other animals from running at large within the town, and to authorize the summary sale or other disposition of all such animals when found so running at large.

19. To provide for sprinkling the streets, avenues, and other public grounds.

20. To provide for the inspection of buildings, elevators, and steam-boilers.

21. To establish standard weights and measures to be used in the town, and to appoint a keeper of weights and measures.

22. To provide for the inspection and measurement of lumber and all other materials.

23. To provide for the erection of market-houses, establishing markets and market-places, and the government and regulation thereof.

24. To provide for and regulate the inspection of beef, pork, flour, meal, milk, butter, lard, and all other provisions; to restrain and punish the regrating and forestalling of provisions, and to provide for and regulate the inspection of petroleum and other oils, whisky and other spirits in barrels, hogsheads, or other vessels.

Food inspection, regrating provisions, etc.

25. To provide for the inspection and weighing or measuring of coal, wood, and other fuel, and hay, corn, and other grains.

26. To regulate the selling or giving away of intoxicating spirituous, vinous, malt, or mixed liquors within the town.

27. To license, tax, and regulate billiard-tables, bowling-alleys, shooting-galleries, and other places of public resorts.

28. To license, tax, regulate, or suppress theatrical and other shows, exhibitions, and amusements.

29. To prohibit and suppress the sale or distribution of obscene books, paper prints, and pictures; the posting of obscene print, pictures, or advertisements; dance-houses, opium joints, gambling-houses, dealing in lottery tickets, prize-fighting, cock-fighting, dog-fighting, brothels, bawdy-houses, disorderly houses, houses of ill fame, assignation-houses, or any places of resort for the practice of lewdness or fornication, or notoriously reputed to be such, whether kept by one or more persons, and to destroy the instruments of gambling.

Prohibited—  
what may be.

30. To prevent and restrain riots, noises, disturbances, disorderly assemblages in any streets, houses, or place within the town; breaches of the peace, fighting, or disorderly conduct, drunkenness, Sabbath-breaking, public profanity, and to make and enforce all such police regulations as may be necessary and proper for the protection and welfare of the citizens and the property within the town.

Disorderly conduct.

31. To prohibit and punish the abuse of animals, and horse-racing and fast driving or riding within the streets.

32. To control, regulate, or prohibit the use of steam-whistles.

33. To prevent or regulate the rolling of hoops, playing of ball, flying of kites, or any other amuse-

Amusements—  
may prevent  
certain.

ment or practice having a tendency to annoy persons passing in the streets, or to frighten teams or horses.

Arrest of  
offenders.

34. To provide for the arrest and confinement, until trial, of all riotous and disorderly persons, or persons violating any ordinance of the town by day or by night.

Work-house.

35. To establish, erect, or purchase and maintain a work-house for the town, and to provide for the committal to said work-house of persons convicted of offenses against the ordinances of the town, and who fail to pay or secure the fine and costs imposed upon them. Until said fine and costs shall be paid by such persons by labor or otherwise, such persons may be put to labor either within an inclosure or upon the streets or other public works, under proper guards, or secured by ball and chain, at such wages as the board may adopt, by ordinance.

36. To provide for the enumeration of the inhabitants of the town, to regulate the burial of the dead, the registration of births and deaths, the keeping and returning of bills of mortality, and impose penalties on physicians, sextons, and others for any default in such duty.

37. To appropriate money and provide for the payment and expenses of the town.

General powers.

38. To make all laws, rules, and regulations necessary and proper for carrying into execution the provisions of this act that may be deemed necessary or requisite for the good order, health, good government, and general welfare of the town, and for the protection or preservation of any town property, privileges, and franchises, and to enforce the same by proper penalties.

#### ARTICLE IV.

##### EXECUTIVE DEPARTMENT.

Vested in whom

SEC. 1. *Be it further enacted*, That the executive powers of the town shall be vested in a mayor, chief of police, and as many assistant policemen as the board of mayor and aldermen may deem necessary, a town constable, a city engineer, and a city attorney.

SEC. 2. *Be it further enacted*, That the mayor shall be the chief executive officer of the town, and shall be at least twenty-five years of age.

SEC. 3. *Be it further enacted*, That the mayor shall

preside at the meetings of the board of mayor and aldermen, and, in case of a tie vote on questions before said board, he shall vote, but not otherwise. He shall, from time to time, give the board of mayor and aldermen information relative to the condition of the corporation, and shall recommend to its consideration such measures as he may deem expedient for the interest of the town. He shall see to the enforcement of the ordinances of the town, and to the preservation of its health and peace, and, in cases of emergency, he is empowered to call to his aid every male inhabitant of the town in such enforcement; and the board of mayor and aldermen may prescribe penalties for a failure to obey such a call. The mayor shall, when directed by the board of mayor and aldermen, give orders upon the recorder for the payment of any moneys due from the corporation.

Mayor—certain duties and powers.

SEC. 4. *Be it further enacted*, That in the absence, or during sickness, of the mayor, the board of aldermen shall elect one of their number to preside, and perform the duties of the mayor, and such alderman shall be vested with all the powers of the mayor for the time being.

Mayor pro tem.

SEC. 5. *Be it further enacted*, That all contracts and bonds of the town shall be signed by the mayor and countersigned by the recorder, under the seal of the corporation, after authority given by resolution or ordinance of the board of mayor and aldermen.

Contracts and bonds—by whom signed.

SEC. 6. *Be it further enacted*, That all legal process against the town shall be served upon the mayor, and it shall be his duty to forthwith give the city attorney written notice of the same, stating the style of the cause, and from what court issued.

Legal process served on mayor.

SEC. 7. *Be it further enacted*, That the mayor shall have power, and it is hereby made his duty, to perform all acts that may be required of him by any ordinance duly enacted by the board of mayor and aldermen, not in conflict with any of the provisions of this act.

Mayor to perform all acts required by ordinance.

SEC. 8. *Be it further enacted*, That the mayor shall have power to make *pro tempore* appointments to fill vacancies occasioned by sickness, absence, or other disability of any of the town officers elected by the board of mayor and aldermen, and to suspend any of such officers for misconduct in office or for neglect of duty, reporting his action, with his reason therefor, in writing to the next regular meeting of the board

Appointments by mayor.

of mayor and aldermen, and final action shall be taken thereon by said board.

Recorder to attend and keep minutes of board meetings; other duties.

SEC. 9. *Be it further enacted*, That it shall be the duty of the recorder to be present at all the meetings of the board of mayor and aldermen, and to keep a full and accurate account of all business transacted by the same, to be preserved in permanent book form, and to perform such other duties as may be imposed upon him by this act or by the ordinances and resolutions of the board of mayor and aldermen. In the event of the absence or disability of the recorder, the board may elect a recorder *pro tempore*, designating his duties.

Recorder — monthly report.

SEC. 10. *Be it further enacted*, That the recorder shall pass his accounts to the board of mayor and aldermen monthly, showing, in detail, the fees and fines, the privilege taxes, the ad valorem tax, and all other revenue collected by him, and a separate statement of account with each department of the town government, showing the amount appropriated to each department, and the amount of receipts and expenditures in each of said departments.

Treasurer — who to be; warrants.

SEC. 11. *Be it further enacted*, That the recorder shall be the treasurer of the town, and it shall be his duty to receive and receipt for and pay out the same only on warrants drawn by order of the board of mayor and aldermen, signed by the mayor and attested by the recorder, under the seal of the corporation.

Recorder custodian of certain documents; fees for copy of same.

SEC. 12. *Be it further enacted*, That the recorder shall have the custody of the town seal, the public records, the original ordinances of the board of mayor and aldermen, all contracts, deeds, and certificates relative to the title of any property of the town, all official indemnity or security bonds (except his own bond or bonds), and such other records, papers, and documents of value as are not required to be deposited with any other person. He shall certify, under his hand and the seal of the town, all copies of such original documents, records, and papers in his office as may be required by any officer or person, and charge therefor to individuals such fees, for the use of the town, as may be provided by ordinance.

SEC. 13. *Be it further enacted*, That the recorder shall perform such other duties, not inconsistent with this act, as the board of mayor and aldermen may, by ordinance or resolution, direct.

SEC. 14. *Be it further enacted,* That the board of mayor and aldermen shall have power, by ordinance, to provide for the appointment of officers and the enlistment or appointment of members of the fire department, and may provide rules and regulations for the government of the same. The said board shall have power, by ordinance, to place the fire department under the direction or control of a committee or committees of the board; or such officers as they may deem proper.

SEC. 15. *Be it further enacted,* That the compensation of the officers and the members of the fire department shall be fixed by the board of mayor and aldermen by ordinance.

## ARTICLE V.

### SCHOOLS.

SEC. 1. *Be it further enacted,* That the board of mayor and aldermen shall have power to appoint a board of education, consisting of six qualified citizens residing within the corporate limits, which board, when so appointed, shall have full power, as trustees or directors, to manage and control the public or city schools, to elect or employ well qualified teachers, and to prescribe all needful rules and regulations for said schools and the teachers thereof; and said board of education shall hold office for three years; *Provided,* The members of the present board of education in Johnson City shall hold their offices until the expiration of the term for which they were elected.

SEC. 2. *Be it further enacted,* That the board of mayor and aldermen shall provide by ordinance for the manner in which the taxes collected by the city tax-collector going to the school-fund shall be paid over on the order of the board of education.

## ARTICLE VI.

### JUDICIAL DEPARTMENT.

SEC. 1. *Be it further enacted,* That the recorder of Johnson City is hereby invested with full power and authority to try all offenses for violation of the ordinances and by-laws of said town, and is also hereby invested with concurrent jurisdiction with justices

of the peace in case of the violation of the criminal laws of the State of Tennessee, and to be entitled to the same fees now allowed justices of the peace for like services, the same to be paid into the town treasury. Said court shall have power and authority to preserve order and decorum while in session, and shall be invested with the same power to punish for contempt, by fine and imprisonment, as are incident to courts of record in this state:

Mayor to act—  
when.

SEC. 2. *Be it further enacted*, That in the absence, incompetency, or other disability of the recorder, the mayor is hereby authorized to act in his stead as judge of said court, and is invested with the same powers while so acting.

SEC. 3. *Be it further enacted*, That the chief of police shall detail a member of the police force to wait upon said court when requested by the recorder or person presiding therein.

Appeal.

SEC. 4. *Be it further enacted*, That in all cases where a violation of the ordinances and by-laws of the town of Johnson City tried in said court of the mayor and aldermen, the accused shall have the right to appeal from the judgment of said court to the law court of Johnson City; but no appeal shall be granted unless the same be prayed and obtained, and proper appeal-bond filed, within two days after the rendition of judgment.

Process.

SEC. 5. *Be it further enacted*, That all process issuing from said recorder's court shall run in the name of the "Mayor and Aldermen of the Town of Johnson City." Subpoenas for witnesses issued from said court may be served in any county of this state by any executing officer thereof, under the same rules governing like process issuing from the courts of record in this state.

Salary of police.

SEC. 6. *Be it further enacted*, That the board of mayor and aldermen shall regulate by ordinance or resolution the number of assistant policemen, the salary to which they shall be entitled, and the salary of the chief of police; nor shall the chief or any assistant policeman be entitled to any other compensation for services rendered the town during their employment on the police force.

Government of  
police force.

SEC. 7. *Be it further enacted*, That the board of mayor and aldermen shall have power to place the government, regulation, and control of the police force in the hands of a committee of said board; but



no policeman shall be permanently removed from office without the right of a final appeal to the entire board, a majority of which shall concur in such removal.

SEC. 8. *Be it further enacted*, That any member of the police force may upon view arrest any person who may be guilty of a breach of the ordinances of the town or a crime against the laws of the State of Tennessee, and are empowered to serve all process of any kind or character issued by or out of the recorder's court, and to serve process in criminal matters issued by any justice of the peace within the town. <sup>Powers of police</sup>

SEC. 9. *Be it further enacted*, That the chief of police and all assistant policemen are empowered to serve any and all process which may be issued by any court in Washington County in any proceeding instituted for the enforcement of any town ordinance, or punishment for violation thereof, or for the collection of any fines or forfeitures which may be incurred under the ordinances of the town. <sup>Additional powers.</sup>

## ARTICLE VII.

### TAXATION AND REVENUE.

SEC. 1. *Be it further enacted*, That the board of mayor and aldermen shall have the power and authority to levy and collect taxes for town purposes upon all taxable property—real, personal, and mixed—within the limits of the town, not exceeding in the total levy for all general purposes in any one year  $1\frac{1}{2}$  per cent. of the total assessment of said property for town purposes that year. <sup>Tax levy—limit of.</sup>

SEC. 2. *Be it further enacted*, That the board of mayor and aldermen shall, each year, cause a transcript to be made (under the direction of the recorder) of the books of the regular tax assessor of Washington County, so far as the same apply to the property mentioned in the preceding section, and such transcript shall be made as early as practicable after the adjournment of the county equalization board. Such transcript, when certified to be true and correct by the recorder, shall be the assessment of valuations for taxes in said town; *Provided*, That there may be an assessment by the recorder of any property found to have been omitted at any time. <sup>Assessment.</sup>

Tax levy—how  
made; record-  
er's pay for  
transcript.

SEC. 3. *Be it further enacted*, That it shall be the duty of the recorder, as soon as such assessment-roll in each year is ready for the extension of taxes, to produce the same or a true copy thereof before the board of mayor and aldermen, and to certify the total amount of the valuation or assessment of the taxable property within the town limits. Whereupon the said board shall immediately proceed to make the proper levy (upon the one hundred dollars valuation) to meet the expenses of the town, limited as in Section 1 herein as to the total levy, and cause the said levy to be extended upon the tax-list of the current year in the same manner as state and county taxes are entered. The recorder shall be allowed such compensation for the making of such transcript and extensions as the board of mayor and aldermen may prescribe.

Collection of  
taxes; delin-  
quents; penalty

SEC. 4. *Be it further enacted*, That the tax-books shall remain in the hands of the recorder for the collection of taxes by him until the first Tuesday in February of the following year, at which time, or as soon thereafter as practicable, it shall be the duty of the recorder to make out and deliver to the town constable a certified list of all delinquent taxes, which list shall contain the same description of property and amounts as appears on the tax-books. This list shall have, in the hands of such constable, the effect of an execution from a court of record, and of the same virtue and force as are the state and county tax-books in the hands of a levying officer. The board of mayor and aldermen may impose a penalty upon all taxes that are not paid before the first Tuesday in February.

Lien for taxes—  
how enforced.

SEC. 5. *Be it further enacted*, That all taxes due to said town upon real estate are hereby declared to be liens thereon until payment, and this lien may be enforced in the manner following: On the first Monday in July of the year following any year's assessment of taxes in said town, or as soon thereafter as possible, the recorder and town constable shall jointly certify to the city attorney a statement of all taxes on realty of such preceding year remaining delinquent, together with all costs, fees, damages, penalties, and interest accrued. As soon as practicable after the receipt of such list, it shall be the duty of the city attorney to file a bill or bills in the chancery court at Johnson City for the purpose of enforcing said liens for taxes. Said bills shall be brought in the name of the mayor

and aldermen of the town of Johnson City, and not less than twenty-five pieces of property shall be embraced in the same bill, one bill excepted; and such bills shall not be objectionable on account of the number of defendants. A true copy of the tax-list, so far as it affects the persons and property in suit, shall be exhibited with the bill, and shall be taken as *prima facie* evidence of the facts therein shown. No defendant shall be entitled to a copy of the bill unless a copy is demanded and costs paid therefor by him. And final decree may be rendered against one defendant without such disposition as to others; otherwise the regular rules of chancery practice shall apply. The fees of court officials shall be the same as are allowed in the state tax proceedings of a like nature. The city attorney shall have authority to receipt and give valid acquittance for such taxes at any time after the receipt of the list aforesaid, and he shall be allowed to charge and collect from the delinquent a fee of ten per cent. upon amounts collected by him, by suit or otherwise.

SEC. 6. *Be it further enacted*, That it shall be lawful Poll tax. for the board of mayor and aldermen to levy and collect the poll-tax, not inconsistent with the general statute, for school or street purposes.

SEC. 7. *Be it further enacted*, That the board of mayor and aldermen is vested with the power to levy and collect privilege taxes not inconsistent with the general statutes of the state, and to issue license to do privilege business; the collection of and receipt for such taxes, and the issuance of licenses, is made the duty of the recorder, who is hereby invested with the same powers in relation thereto as is now vested in a county court clerk by general statute. 'Privilege taxes; recorder's duty as to.

SEC. 8. *Be it further enacted*, That no payment shall be made out of the town treasury, except upon warrants drawn by the mayor and countersigned by the recorder, and upon the prior authorization of the board of mayor and aldermen. Payments—how made.

SEC. 9. *Be it further enacted*, That all male inhabitants in the town of Johnson City over eighteen and under forty-five years of age, except such as are permanently disabled from performing ordinary labor, who may be released by the board of mayor and aldermen, shall work on the public streets, avenues, and alleys of the town not less than three nor more. Who shall work streets.

than six days in each year, upon three days' notice being given by the street-overseer of the time and place to commence. Any person so notified may be exempt from such work by sending an able-bodied substitute, or by paying to the recorder, to go to the street fund, such sum as the board of mayor and aldermen may fix, but not less than two or more than five dollars. A day's work, within the meaning of this section, shall be eight hours of actual service.

Work to be assessed.

SEC. 10. *Be it further enacted*, That the board of mayor and aldermen shall, at its first regular meeting in May, of each year, assess the number of days to be worked by each person upon the streets, and fix the amount that may be paid in lieu thereof, with the restrictions of Section 9, herein.

Failure to work; penalty.

SEC. 11. *Be it further enacted*, That any person subject to street work, who shall fail or refuse to work when notified by the overseer, shall be guilty of a misdemeanor, and shall be fined by the recorder not less than three nor more than six dollars, and in default of payment thereof, shall be held to work out the same in the work-house or chain-gang.

## ARTICLE VIII.

### MISCELLANEOUS PROVISIONS.

Borrowing money—limit; individual liability.

SEC. 1. *Be it further enacted*, That the board of mayor and aldermen shall have power to anticipate the annual revenue by borrowing money to meet the payments of interest and sinking fund on the bonded debt of the town, and other current expenses; *Provided*, The amount borrowed shall not exceed forty per cent. of the tax levy for the year in which said money is borrowed; *And provided*, The members of the board of mayor and aldermen shall be individually liable for any sum borrowed in excess of that amount.

Who may contract.

SEC. 2. *Be it further enacted*, That no member of the board of mayor and aldermen, or any other person, shall have power to make any contract for, or create any liability on behalf of said board or funds under its control except by the express authority of the board, conferred at a legal meeting of the same.

SEC. 3. *Be it further enacted*; That no member of the board of mayor and aldermen or officer elected by said board shall be interested in any contract or work of any kind whatever under its control and direction, and any contract in which any such person shall have an interest, shall be void and cannot be enforced.

Contracts— who shall not be interested in.

SEC. 4. *Be it further enacted*, That to enable the board of mayor and aldermen to fully investigate charges against its own members or other officers or agents of the town, or such other matters as they may deem proper, the mayor or recorder, at the request of the board, are hereby empowered to issue subpoenas and other compulsory process to compel the attendance of persons and the production of books and other papers before the board of mayor and aldermen, or any committee of the same, and the board may prescribe and enforce penalties for a failure or refusal to obey such process.

Investigations by board; process.

SEC. 5. *Be it further enacted*, That all persons holding office in the town of Johnson City under and by virtue of an act passed March 19, 1889, and approved March 22, 1889, entitled "An act to amend the charter of the town of Johnson City, in the county of Washington," and to embrace all of said charter in one act, shall continue to hold the same under their present election or appointment until the term of said office shall expire, as fixed by said act, and all ordinances and by-laws of the town of Johnson City existing immediately before the passage of this act, not inconsistent herewith, shall be and remain in full force and virtue, and all legal and subsisting obligations, liabilities, actions, claims, contracts, and prosecutions arising under said act shall remain and continue as if this act had not been passed.

Old officers, ordinances, etc.

SEC. 6. *Be it further enacted*, That this act is declared to be a public act, and may be read in evidence in all courts of law and equity, and all ordinances, resolutions, and proceedings of the board of mayor and aldermen may be proved by the seal of the recorder, and, when printed and published by the authority of the board of mayor and aldermen, the same shall be received in evidence in all courts and places without further proofs, when certified to by the recorder.

This act public; ordinances, etc.—how proved.

SEC. 7. *Be it further enacted*, That all laws and parts of laws in conflict with this act are hereby repealed.

SEC. 8. *Be it further enacted*, That this act shall take

effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNER,  
*Governor.*

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## CHAPTER 116.

AN ACT to authorize and empower Hamilton County to join and co-operate with any individual, firm, joint-stock company, or corporation in the construction of a combined foot, wagon, and railroad bridge or bridges across any navigable stream within said county, and to appropriate and contribute, on such terms and conditions as they may deem proper, such sum or sums of money as a majority of the members of the court may deem advisable, not to exceed \$150,000, and to issue bonds for payment of same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county court of Hamilton County be, and the same is hereby, authorized and empowered to join and co-operate with any individual, firm, joint-stock company, or corporation in the construction of a combined foot, wagon, and railroad bridge or bridges across any navigable stream within said county, and to appropriate and contribute, on such terms and conditions as they may deem proper, such sum or sums of money as the majority of the members of the court may deem advisable, not to exceed \$150,000.

SEC. 2. *Be it further enacted,* That the said county court respectively, in order to raise the money for the purpose above indicated, may issue the bonds of the county, and provide for their payment as authorized by the provisions of said act, not to exceed in the aggregate the sum of \$150,000, to bear not to exceed five per cent. interest per annum, and not to run exceeding fifty years.

SEC. 3. *Be it further enacted*, That the individual, firm, joint-stock company, or corporation joining the county in the construction of such bridge or bridges shall thereafter maintain and keep up the same, without expense to the county, in a good and safe condition for a period to be agreed upon between the parties at the time of granting the county's aid, but not for a less period than ten years, and that part to be used for railroad purposes perpetually. The foot and wagon way of said bridge shall be for the benefit of the county, and shall be under the control of the county court, and shall be forever free and open to the travel and traffic of the public.

SEC. 4. *Be it further enacted*, That the judge or chairman of the said county court may call a special session of the court to consider and grant the aid provided for in this act by giving ten days' written notice to each justice of the peace, informing him of the object of such session.

SEC. 5. *Be it further enacted*, That this act take effect and be in force from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 117.

AN ACT to repeal an act, entitled "An act to incorporate the town of Montvale Springs, in Blount County, Tennessee."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act, entitled "An act to incorporate the town of Montvale Springs, in Blount County, Tennessee," passed March 28, 1891, and approved March 30, 1891, being Chapter 226 of the Acts of 1891, be repealed.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed January 31, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved February 2, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 118.

AN ACT to amend an act passed March 26, 1879, amending an act passed November 6, 1837, declaring Wolf River navigable.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2 of the act passed March 26, 1879, amending an act passed November 6, 1837, declaring Wolf River navigable, be so amended as to provide that Wolf River is hereby declared navigable, for flat-boats and rafts, from its mouth to the forks of said river at Philip Williams', in Fentress County; also the north fork of said river to the Ollie Crouch farm, in Fentress County.

SEC. 2. *Be it further enacted*, That all laws or parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker pro tem. of the House of Representatives.*  
Approved February 4, 1893.

P. TURNEY,  
*Governor.*



## CHAPTER 119.

AN ACT to change the line between the counties of Dickson and Cheatham.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Dickson and Cheatham be changed as follows, to wit: Beginning at Paint Rock Bluff where the Dickson County line leaves the river; thence up the river, with the meanders, to the mouth of Trace Creek; thence up said creek to the Dickson and Cheatham County line, so as to include in Dickson County what is known as the "Horseshoe."

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed February 1, 1893.

J. A. TROUSDALE,

*Speaker pro tem. of the House of Representatives.*

WM. C. DISMUKES,

*Speaker of the Senate.*

Approved February 4, 1893.

P. TURNEY,

*Governor.*

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## CHAPTER 120.

AN ACT to change the line between the counties of Dyer and Lauderdale so as to embrace in Dyer County the point of land called "Tiger Tail," now claimed by Lauderdale County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Dyer and Lauderdale is hereby so changed as to embrace in the county of Dyer the point of land called "Tiger Tail," at the junction of the Forked Deer River with the old channel of the Mississippi River, through which Obion River now runs. This change of the line between the counties of Dyer and

Lauderdale is to begin at a point in the Forked Deer River about one-fourth of a mile above its junction with the old channel of the Mississippi River, at a point where the said line diverges in a north-western direction from the Forked Deer River; runs thence from that point with the center of the Forked Deer River to the junction of the Forked Deer River with the old channel of the Mississippi River, and thence with the center of the channel through which the waters of the Obion and Forked Deer Rivers flow to the Mississippi River, called Obion River, to the Mississippi River.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed February 1, 1893.

J. A. TROUSDALE,

*Speaker pro tem. of the House of Representatives.*

WM. C. DISMUKES,

*Speaker of the Senate.*

Approved February 4, 1893.

P. TURNEY,

*Governor.*

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## CHAPTER 121.

AN ACT to amend the second section of Chapter 76 of the Acts of 1869-70 of the State of Tennessee, and to reduce the corporate limits of the town of Clifton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the second section of Chapter 76 of the Acts of 1869-70 of the State of Tennessee be amended so as to change the boundary line of the corporation of the town of Clifton at its north-east corner, as follows: Beginning at a stone in the east boundary of the corporation, on Ross' Creek, above the bridge; thence west twelve and one-fourth poles; thence north twenty-five poles to Water Street; thence north thirty degrees east to the Tennessee River; thence up said river and around with

the boundaries as set forth in the act hereby amended, to the beginning.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 122.

AN ACT to authorize the mayor and aldermen of the town of Shelbyville to issue coupon bonds, in an amount not exceeding twelve thousand dollars, for the purpose of purchasing grounds and constructing thereon a public school-building or erecting such building in conjunction with the common school directors of the seventh school-district of Bedford County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and aldermen of the town of Shelbyville be, and are hereby, authorized and empowered in their corporate capacity to issue interest-bearing bonds, with coupons attached, of said town, signed by the mayor and countersigned either by the recorder or board of supervisors of said town, to be an amount not exceeding twelve thousand dollars, for the purpose of purchasing ground and constructing thereon a public school-building, or erecting such buildings in conjunction with the common school directors of the seventh school-district of Bedford County, Tennessee; *Provided*, That none of said bonds shall be issued until an election shall have been held in said town, as hereinafter provided, to determine whether the legal voters of said town favor the issuance of all or any portion of said bonds.

May issue bonds  
—object.

Denomination,  
interest, etc.

SEC. 2. *Be it further enacted*, That any and all bonds issued at any time under this act shall be of such denominations, bear such rate of interest (not to exceed six per cent. per annum), and be due in such time, not less than ten nor more than twenty years from date, and payable at such time, times, and places as the corporate authorities may determine.

Election.

SEC. 3. *Be it further enacted*, That before said mayor and aldermen shall issue any of the bonds contemplated by this act, they shall first order and cause to be held an election of the voters of said town, and prescribe the rules and regulations therefor, and shall give notice of said election by publication in some newspaper in said town at least once a week for three successive weeks, or by hand-bills, publicly posted, for at least twenty days, specifying in the notice the amount of the bonds proposed to be issued, rate of interest thereon and maturity thereof; and if three-fourths of the persons voting at such election are in favor of issuing the bonds accordingly, then the said mayor and aldermen will issue and place them in the hands of the common school directors of the seventh school-district of Bedford County, Tennessee, to be used and disposed of by them for the purpose issued; and that said election may be held, in the first instance, at such a time as may be convenient, and, in the event of failure to carry, not oftener than once in every six months thereafter.

Who may vote.

SEC. 4. *Be it further enacted*, That all persons living within the limits of said town who are legal voters according to the laws of Tennessee, and who have been living within the limits of said corporation of Shelbyville for thirty days next preceding the election, and being *bona fide* citizens of said town, and all persons owning real estate within the limits of said town, although they may not reside within the same, shall be entitled to vote at said election or elections.

Taxes and sinking fund.

SEC. 5. *Be it further enacted*, That the mayor and aldermen of the town of Shelbyville shall, by ordinance, provide for the assessment, levy, and collection of such taxes as may be necessary to pay off said bonds so issued, and the accruing interest thereon, and may provide a sinking fund for that purpose.

SEC. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed.

SEC. 7. *Be it further enacted*, That this act take

effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 123.

AN ACT to amend an act passed March 29, 1889, Chapter 187, page 353, entitled "An act to compile the several acts incorporating the town of Shelbyville into one act, and to amend the same, and to repeal all acts in conflict with this act."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Subsection 6 of Section 8 of the act mentioned in the caption as passed March 28, 1889, be, and the same is hereby, stricken out, and the following words inserted in lieu thereof: "To provide the town with water and hose and appliances as may be necessary for the sprinkling of the streets and the prevention and extinguishment of fires, by contracting with any person or association of persons, partnership or corporation, under proper bonds, to provide a constant and adequate supply of water for the said purposes, or to construct, through its board of supervisors, and own a system of water-works for fire protection and sprinkling purposes, and to appropriate by resolution of the board of supervisors the money necessary to pay for the same; *Provided*, The said board of supervisors shall in no case appropriate for said purpose a sum exceeding two thousand dollars in any one year, and the said board of supervisors is expressly empowered to levy and collect a special water tax, should it deem that necessary, which tax shall not exceed one-third of one per cent. upon the assessed property; *Provided*, That no such appropriation shall be made until election by the voters qualified to vote for mayor and aldermen in said town of

Shelbyville shall be held, and the proposition receive the affirmative vote of a majority of all persons voting in said election. Said election shall be held at a date to be fixed by said board of supervisors at a time not more than ninety days after the passage and approval of this act, and thirty days' notice of the election by newspaper publication or hand-bills posted at conspicuous places in said town, stating the purpose of the election, and the amount proposed to be appropriated. Persons voting for the proposition shall have on their ballots the written or printed words, "For the Appropriation," and those opposed the words, "Against the Appropriation." The returns shall be certified and filed as in other elections in said town.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 124.

AN ACT to create the office of county judge for the county of Weakley, and to prescribe his duties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there shall be elected, by the qualified voters of Weakley County, a person, learned in the law, to be styled county judge, who shall hold his office eight years from the date of his commission.

County judge to be elected.

SEC. 2. *Be it further enacted*, That the first election of said county judge shall be held at the same time, place, and in the same manner and by the same officers that other county elections are held, on the first Thursday in August, 1894, and every eight years thereafter, and under the same rules and regulations that are prescribed by law for other judicial elections in this state. Election—when held.

SEC. 3. *Be it further enacted*, That all jurisdiction and powers now conferred upon the chairman of the county court over administrators, executors, guardians, wards, trustees, wills, dowers, partitions for sales or division of lands, and all other matters and duties now devolving upon the chairman of the county court, and over which he has jurisdiction, be, and the same are hereby, transferred and conferred upon the county judge. Jurisdiction and powers.

SEC. 4. *Be it further enacted*, That said county judge shall receive as compensation eight hundred dollars per year, to be paid quarterly from the county treasury, upon the judge's own warrant, countersigned by the county court clerk. Salary.

SEC. 5. *Be it further enacted*, That nothing in this act shall interfere with the holding of the office of chairman of the county court of said county by the present incumbent until the first Monday in January, 1894. Present chairman.

SEC. 6. *Be it further enacted*, That it shall be the duty of the governor to appoint a competent person to hold said office of county judge from the first Monday in January, 1894, until the first Thursday in August, 1894, or until his successor is qualified. Governor to appoint.

SEC. 7. *Be it further enacted*, That the judge provided for in this act be required to enter into bond with sufficient security as the county court may require, at its quarterly term, as financial agent of the county. Judge to be financial agent; bond.

Passed April 6, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 8, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 125.

AN ACT to repeal an act to create and regulate the office of county judge of Cumberland County, passed March 22, 1889, and approved March 26, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 132 of the Acts of 1889, entitled "An act to create and regulate the office of county judge for Cumberland County," passed March 22, 1889, and approved March 26, 1889, be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That this act shall repeal all laws and parts of laws in conflict with this act.

SEC. 3. *Be it further enacted*, That this act shall not effect the present incumbent.

Passed April 6, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 126.

AN ACT to authorize the trustees of Jamestown Academy to sell certain property, and prescribing the use to which the proceeds may be applied.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the trustees of the Jamestown Academy, of Jamestown, State of Tennessee, be, and the same are hereby, authorized and empowered to sell the site upon which said academy now stands, together with all the grounds and buildings now owned by said trustees, for and in behalf of said Jamestown Academy; and that said trustees are hereby empowered to give deed absolute to the purchasers of said site, grounds, and buildings.



SEC. 2. *Be it further enacted*, That the trustees of Jamestown Academy be, and they are hereby, directed to pay over the moneys so received from the sale provided for in Section 1 of this act, to the county court of Fentress County, to be used by said county court as other school-funds of said county, the proceeds of said sale to go into the general school-fund of said county of Fentress.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*  
Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 127.

AN ACT to amend Chapter 114 of the Acts of 1883, entitled "An act to provide for the creation and organization, and defining the powers, of municipal corporations, embracing territories of cities having a population of thirty-six thousand and upwards, according to the Federal census of 1880, whose charters have been abolished."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 3 of Chapter 114 of the Acts of the General Assembly of the year 1883, entitled "An act to provide for the creation and organization, and defining the powers, of municipal corporations," be so amended as to read: "The city council shall be composed of twenty councilmen, who shall be elected for a term of four years at the general election by the qualified electors at large of the city, but not more than one residing in any ward shall be eligible. If there is more than one candidate residing in the ward, that one receiving the largest number of votes at the election at large shall be eligible." Twenty councilmen; who eligible.

SEC. 2. *Be it further enacted*, That Section 4 of said act be so amended as to read: "At the next election after the passage of this act, fifteen councilmen shall

Ten elected  
biennially.

be elected, five of whom shall be elected for two years, and the balance for four years; and biennially thereafter there shall be an election to fill the expirations as they occur, so that biennially thereafter at each election there shall be elected ten councilmen, whose term of office shall be four years. The five receiving the smallest number of votes at the first election after this act, shall hold for the short term of two years."

Twenty wards.

SEC. 3. *Be it further enacted*, That it shall be the duty of the mayor and city council of corporations now being in existence, and organized under the act aforesaid, embraced in Chapter 114 of the Acts of 1883, within one month after the passage of this act, to divide and lay off the territory of the corporation into twenty wards, provided the same has not already been done by such municipality; and Subsection 23, Section 17, of said act aforesaid so amended that the number of the city wards shall never be less than twenty. In laying off the new wards under this act, the city council shall fix the boundary so as to divide the territory of the city as nearly equal, and with as much uniformity, as practicable, and to divide the city as near as practicable into twenty wards of the same size, shape, and voting population.

Convict labor.

SEC. 4. *Be it further enacted*, That Section 37 of said act shall be so amended as to read: "That upon the passage by mayor and city council of such ordinance, it shall be the duty of the board of public works and affairs to advertise, and let the works to the lowest competent and responsible bidder; *Provided*, That said lowest responsible bidder shall not employ convict labor in said work or any part of it."

SEC. 5. *Be it further enacted*, That all laws or parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 128.

AN ACT to amend an act passed February 26, 1889, and approved April 4, 1889, entitled "An act to protect game in the counties of Scott, Fentress, Pickett, Morgan, Cumberland, Bledsoe, Van Buren, Sequatchie, White, Putnam, Rhea, Clay, Campbell, Henry, Johnson, Carter, Sullivan, Meigs, and Claiborne."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act passed February 26, 1889, and approved April 4, 1889, Acts of 1889, Chapter 179, be, and the same is hereby, amended by adding after the word Claiborne, at the end of Section 1: "*Provided*, That nothing in said act shall apply to non-residents of this State hunting on the lands of Sullivan County, by the request or with the consent of the owner or owners thereof."

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 129.

AN ACT to amend Section 5365 of Milliken & Vertrees' compilation of the laws of Tennessee, being Section 4614 of the Code, as amended by Chapter 56, Acts of 1871, so as to raise the age of consent, as set forth in said section, to twelve years, and to prescribe punishment in the penitentiary against persons having carnal knowledge of females over twelve and under sixteen years and one day of age.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 5365 of Milliken & Vertrees' compilation of the laws of Tennessee, the same being Section 4614 of the Code, as amended by Chapter 56 of the Acts of 1871, be, and the same is hereby, amended so as to read as follows: "Any person who shall unlawfully and carnally know and <sup>Offense defined,  
penalty.</sup>

abuse a female under the age of twelve years shall, on conviction, be punished as in the case of rape; and any person who shall unlawfully and carnally know a female over the age of twelve years and under the age of sixteen years and one day, shall be deemed guilty of a felony in all cases not falling under the statutes relating to rape, and, on conviction, shall be confined in the penitentiary not less than three years nor more than ten years; *Provided*, That no conviction shall be had for said offense upon the unsupported testimony of the female in question; *And provided*, That the provisions of this act relative to females over the age of twelve years shall not apply to cases in which the defendant and the female in question occupy the relation of husband and wife at the time of such carnal knowledge; *Provided further*, That evidence of the female's reputation for want of chastity at and before the time of the commission of the alleged offense shall be admissible in behalf of the defendant, but this proviso shall only apply when the female is over twelve years of age; *Provided further*, That nothing in this act shall authorize or warrant a conviction where the female over twelve years of age is, at the time and before the carnal knowledge, a hawd, lewd, or kept female."

Evidence.

Evidence of want of chastity admissible—when.

Exception.

Aiders and abettors.

SEC. 2. *Be it further enacted*, That any parent or guardian of, or person having the charge, care, or custody of such female, or procuress, permitting, consenting to, aiding, encouraging, or abetting, or conniving at the commission of the offense or crime aforesaid, shall be deemed a principal in the crime, and punished as such under this act.

Passed March 31, 1893.

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

WM. C. DISMUKES,

*Speaker of the Senate.*

Approved April 6, 1893.

P. TURNEY,

*Governor.*

## CHAPTER 130.

AN ACT to authorize the taxing district of Winchester to issue bonds for the building of and furnishing a school-house in school-district No. 22, said bonds not to exceed the sum of \$10,000.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the taxing district of Winchester, Franklin County, be, and the same is hereby, authorized and empowered to issue ten thousand dollars in bonds, bearing interest at four per cent., to build and furnish a school-house for the twenty-second school-district of Franklin County, interest payable semi-annually at the Bank of Winchester.

SEC. 2. *Be it further enacted*, That said bonds shall be signed and officially stamped by the commissioner of said taxing district, and shall be in the denomination of \$25, \$50, \$100, and \$1,000, at the discretion of said commissioners, and to run twenty years, and to be used exclusively for the benefit of the public school of said twenty-second school-district.

SEC. 3. *Be it further enacted*, That it shall require three-fourths of the qualified voters of said bonds in this act.

SEC. 4. *Be it further enacted*, That the sheriff of said county hold said election as other elections are held.

SEC. 5. *Be it further enacted*, That said act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 131.

AN ACT to encourage the introduction of and give protection to the Chinese pheasant.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful to kill or capture said Chinese pheasant, or to disturb the nest or eggs or young of the Chinese pheasant, for a term of five years from the passage of this act.

SEC. 2. *Be it further enacted*, That for any infringement of this law, the penalty shall be a fine of not less than ten dollars (\$10) nor more than twenty-five dollars (\$25), or imprisonment for not less than thirty (30) days or more than ninety (90) days, at the discretion of the court.

SEC. 3. *Be it further enacted*, That the criminal and circuit judges of this state are required to give this act in charge to the grand juries, and the grand juries are herein given inquisitorial power over this offense.

SEC. 4. *Be it further enacted*, That this law take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 132.

AN ACT to amend an act, entitled "An act to authorize the city of Kingston, Roane County, to issue bonds for the purpose of improving streets, and lighting the city with electricity," passed March 28, 1891, and approved March 30, 1891.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 212 of the Acts of 1891, passed by the first session of the Forty-seventh General Assembly of the State of Tennessee, entitled "An act to authorize the city of Kingston, Roane

County, to issue bonds for the purpose of improving the streets and lighting the city with electricity," be, and the same is hereby, amended as follows: That the second section of said act shall read as follows, down to the words, "from date of issuance:" "That said bonds shall mature in ten, twelve, fifteen, twenty, or thirty years, at the option of said city of Kingston."

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 133.

AN ACT to repeal the corporation of the town of Cardiff, in Roane County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporation of the town of Cardiff, in the county of Roane, in this state, be, and the same is hereby, repealed and abolished.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 134.

AN ACT to create the office of private secretary to the governor, and to provide for the compensation of same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the office of private secretary to the governor is hereby created, and that he shall be appointed by the governor, and be a resident and citizen of Tennessee.

SEC. 2. *Be it further enacted*, That the salary of said private secretary shall be twelve hundred dollars, payable monthly on a warrant drawn by the comptroller on the treasury, and there shall be no other allowance to the governor's office for clerical assistance, and that all clerical duties of the office of governor, not by law required to be performed by the secretary of state, may be performed by the said private secretary.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 135.

AN ACT to amend the charter of the town of Huntingdon, Tennessee, so as to empower said town to issue coupon bonds in an amount not to exceed \$20,000, for the purpose of paving and graveling the public square and streets of said town, and to erect an electric light plant.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of Huntingdon, Tennessee, and acts amendatory thereto, be, and the same are hereby, amended so that the mayor and aldermen of said town, in their corpo-



rate capacity, shall have, and they are hereby vested with, full power to issue, under the restrictions hereinafter provided, the interest-bearing coupon bonds of said town in an amount not to exceed, for all purposes herein contemplated, the sum of twenty thousand dollars, to be issued and used exclusively in the construction and erecting an electric light plant for the use and benefit of said town, and to pave and gravel the public square and streets of said town.

Bonds—may issue; object and amount.

SEC. 2. *Be it further enacted*, That said mayor and aldermen, under said restrictions, shall have power to issue any of said bonds for any one or both of said purposes in such amount and at such time and times as they shall deem best.

May issue for one or both purposes.

SEC. 3. *Be it further enacted*, That any and all bonds issued at any time under this act shall be of such denominations, bear such rate of interest, not to exceed six per cent. interest per annum, and be due in such time, not less than five nor more than twenty-five years from date, and be payable at such times and places, as the corporate authorities may determine.

Denominations, interest, etc.

SEC. 4. *Be it further enacted*, That none of the bonds provided for in this act shall be sold for less than par, and the coupons, when due, shall be receivable for all taxes and dues to the corporation, except the school-tax or the sinking fund tax herein provided for the payment of the bonds contemplated by this act.

Not sold below par; receivable for taxes—exception.

SEC. 5. *Be it further enacted*, That before said mayor and aldermen shall issue any of the bonds contemplated by this act, they shall first order an election of the qualified voters of said town, and prescribe rules and regulations therefor, and shall give notice of said election by publication in some newspaper published in said town at least once a week for three successive weeks, or by hand-bills publicly posted for at least twenty days, specifying in such notice the amount of the bonds proposed to be issued, and for which of the authorized purposes; and, if two-thirds of the persons voting at such election are in favor of the proposed work or improvement, then the said mayor and aldermen may issue the bonds accordingly to pay for the same, and have the work constructed; and said election may be held at any time or as many times for any one or both of said purposes as the said mayor and aldermen may deem necessary.

Election.

SEC. 6. *Be it further enacted*, That the said mayor and aldermen shall each year levy a tax of not less

Interest and  
sinking fund  
tax.

than ten nor more than twenty cents on one hundred dollars upon all taxable property of said town to pay the interest on such bonds as may be issued hereunder, and to provide the necessary sinking fund to pay or redeem said bonds at or before maturity; the sinking fund to be used exclusively for the purpose levied.

Sinking fund  
commissioners.

SEC. 7. *Be it further enacted*, That before any of said bonds shall be issued the said mayor and aldermen shall elect a board of three commissioners, to be known as the sinking fund commissioners, who shall hold office for three years, and until their successors shall have been elected and qualified; and they are to be so elected that one of said commissioners shall be elected for one year, and one for two years, and one for three years, and every year thereafter one shall be elected for three years. Said commissioners shall, before entering upon the discharge of their duties, take an oath, before a qualified officer, faithfully to discharge their duties, and shall give bond in such sum, and otherwise qualify themselves, and receive such compensation as the ordinance of the corporation shall prescribe and provide. Said commissioners shall receive from the collector of taxes all the sinking fund tax, and shall invest the same from time to time in the bonds of the corporation here contemplated, and make settlements of their accounts in such manner and with such persons as the corporation may by ordinance direct; *Provided, however*, That whenever such bond of the town is purchased or invested by the commissioners, they shall cancel the same in the presence of the board of mayor and aldermen in such manner as may be determined by ordinance.

Cancellation of  
bonds.

SEC. 8. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 136.

AN ACT to establish and create the office of county commissioner of fish, and to regulate and define its duties, for the various counties of this state.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the office of county commissioner of fish be, and the same is hereby, created and established for each and all of the various counties in this state; and it shall be the duty of the justices of the various county courts in this state, at the April term of the quarterly county court, each and every year hereafter, to elect some competent person to fill said office for the term of one year, and until the election and qualification of his successor.

Office created ;  
county court to  
elect ; term.

SEC. 2. *Be it further enacted*, That such officer shall receive for his services such compensation as may be allowed him by the court, not exceeding twenty-five dollars per annum, and the payment of his expenses, not exceeding a like amount; *Provided*, Nothing in this act shall compel county courts to make any appropriation on account of this act.

Salary.

SEC. 3. *Be it further enacted*, That it shall be the duty of said county commissioner of fish to inform himself, as near as practicable, as to the fish supply in the various streams in his county, and make report thereof once a year, one copy of which he shall forward to the United States commissioner of fish and fisheries, at Washington, D. C., one copy to the county court, and one to the governor of the state, and he shall make them such suggestions or recommendations as to the proper methods to increase or protect the supply of fish as to him may seem proper, the governor to transmit such recommendations as may be so made to the legislature, when, in his opinion, it may seem wise and proper.

Duties.

SEC. 4. *Be it further enacted*, That said commissioner shall be authorized and empowered, and it shall be his duty, to receive and distribute such fish supplies as he may receive from the national commissioner under from that officer, to whom he shall report what waters could be stocked to advantage.

Receive and  
distribute sup-  
plies.

SEC. 5. *Be it further enacted*, That it shall be the duty of said officer to make inquiry and report to the grand jury of the county, at each regular term of the

To report viola-  
tions of law.

court, any information in his possession as to the violation of the laws of this state for the protection of fish.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 8, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 137.

AN ACT to authorize the county of Greene to sell and make title to any interest which it may have in the property known as Rhea Academy, situate in the town of Greeneville, Greene County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Greene be, and is hereby, authorized to sell and make title to any interest, legal or equitable, which it may have in and to the property known as Rhea Academy, situate in the town of Greeneville, Greene County, Tennessee.

SEC. 2. *Be it further enacted*, That the clerk of the county court of the said county of Greene, is hereby authorized and empowered a special commissioner to make said sale and execute a deed therefor to the purchaser.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 138.

AN ACT to amend Chapter 22 of the Acts of the Extra Session of 1891, entitled "An act to amend Sections 5586 and 5587 of the Code of 1858, relating to the payment of cost in criminal cases, and to more clearly define what costs in criminal cases the state and county shall be held liable, passed September 19, 1891, and approved September 19, 1891, and to prescribe for the more prompt and efficient payment of the jail fees and boarding fees."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all felony cases, after indictment is found, in which the state may eventually become liable, that the judge shall render judgment against the state for, and certify at the adjournment of each term of the court, all fees of the sheriff for board of the prisoners; also the fees for boarding the juries in cases in which no final disposition has been had. Judge to render judgment and certify fees.

SEC. 2. *Be it further enacted*, That all of said fees may be made out in one bill, but each case shall show the date of indictment, the date of commitment, the date or dates of boarding the jury, and rate charged for same, and up to what date judgment has been given for said costs, and of all previous dispositions of any previous court in said case or cases. Bill—what each case to show.

SEC. 3. *Be it further enacted*, That if, on the final disposition of the case, the state shall be held liable for the costs, the clerk shall only tax the difference between the amount previously collected and the amount due to date of final disposition, or not more than five days thereafter, as the case may be, as now provided for by law. What clerk to tax when state liable.

SEC. 4. *Be it further enacted*, That in the event the court shall not hold the state liable for the costs in any such cases when finally disposed of, it shall be the duty of the clerk to include all of the costs previously paid by the state on this account in his executions and in his bill of costs, and to collect and refund the same to the state in the same manner as he is required by law to pay over state revenue. What to tax when state not liable.

SEC. 5. *Be it further enacted*, That Chapter 22 of the Extra Session of 1891 is hereby made to conform with the provisions of this act.

SEC. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same

are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 139.

AN ACT to change and extend the limits of the corporation of Lexington, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the limits of the corporation of the town of Lexington, Tennessee, be changed and extended as follows, to wit: Beginning at the south-west corner of the present corporation limits of the town of Lexington, in the Mifflin and Lexington lane, and run south  $64\frac{1}{2}$  degrees east 196 poles; then east 114 poles; then north 6 degrees west  $96\frac{1}{2}$  poles to the Decaturville and Lexington road, at a point in said road 10 poles and 42 links north of a branch; thence north 3 degrees west 91 poles to a post-oak at the rear of Alex Stanford's garden; thence north 45 degrees east 90 poles to a forked tree; thence north  $1\frac{1}{2}$  degrees east 182 poles to a stake in the Perryville and Lexington road, 4 poles east of the Paducah, Tennessee and Alabama Railroad; thence north 86 degrees west to the north east corner of the Fair Ground, a corner of the present corporate limits of said town of Lexington.

SEC. 2. *Be it further enacted*, That all the territory within the limits as set out in Section 1 of this act be, and the same is hereby, included in, added to, and made a part of the corporation of said town of Lexington, and subject to all the rules, regulations, and ordinances of the mayor and board of aldermen of said corporation of Lexington.

SEC. 3. *Be it further enacted*, That this act take ef-

fect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 140.

AN ACT to authorize the board of trustees of the University of Tennessee to sell certain surplus lands; to amend Chapter 12 of the Acts of 1868-'69, entitled "An act to establish the Tennessee Agricultural College and invest the proceeds in permanent improvements."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the provision of Section 4, Chapter 12 of the Acts of 1868-'69 requiring the trustees of said university to provide suitable lands, not less in extent than two hundred acres, be amended so that the trustees of said university shall be, and are hereby, permitted and empowered to sell all surplus detached lands, over and above one hundred acres, and to invest the proceeds thereof in permanent improvements upon the remaining property of said university.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 141.

AN ACT to amend charters of municipal corporations of over 75,000 inhabitants so as to empower the taking of land adjacent to or lying near the corporation line for dumping garbage, privy matter, and other offal.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charters of all municipal corporations incorporated under the laws of the State of Tennessee, and having a population of more than 75,000 inhabitants, under the federal census of 1890, or which may have a population of more than 75,000 inhabitants under any subsequent census, be amended so as to confer upon the mayor and city council of said municipal corporations the power, by ordinance, to take and appropriate, upon payment of damages, and in the manner hereinafter provided, ground adjacent to or lying in the vicinity of the corporation lines for dumping garbage, privy matter, and other offal.

SEC. 2. *Be it further enacted*, That, in order to exercise the power conferred in the first section hereof, the mayor and city council shall, by ordinance, designate and properly describe the grounds, and instruct the city attorney to institute proceedings provided for in Sections 1325 to 1348, inclusive, of the Code of Tennessee (Milliken & Vertrees' Code, Sections 1549 to 1572, inclusive).

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*



## CHAPTER 142.

AN ACT to amend Section 1 of Chapter 47 of an act passed March 1, 1889, approved March 16, 1889, in so far as the same amends the charter of the city of Jackson, Tenn., by extending the boundaries of said city.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1 of an act passed March 1, 1889, approved March 16, 1889, entitled "An act to amend the charter of the city of Jackson; and amendatory acts thereof, so as to extend the boundaries thereof, etc.," in so far as the same relates to the boundaries of the corporation, be, and the same is hereby, amended so as to change and fix the boundaries of the same as follows: The corporation of the city of Jackson shall be bounded as follows, to wit: Beginning at the south-west corner of the water-works lot, on the corner of Royal and Magnolia Streets, running north 86 degrees 30 minutes east along the north margin of Magnolia Street to a point on the west rail of Mobile and Ohio Railway; thence north 1 degree 45 minutes west to a point on Lexington road twenty-nine feet east of the line between Chas. Owen and C. T. Bates; thence north 66 degrees east along said Lexington road to a stake at the intersection of Lexington road and East Street, just west of S. W. Boon's residence; thence north 4 degrees 15 minutes west through said East Street to a stake at the intersection of the south line of Berry Street; thence through Berry Street south 87 degrees 30 minutes west to the north-west corner of Highland and Crescent Avenues; thence south 85 degrees 15 minutes west along the north line of said Crescent Avenue, crossing Campbell Street, and intersecting a line extended north 4 degrees 45 minutes west from the south-east corner of Fair-ground and Williams Streets, being along the eastern line of the 500-acre grant to Thomas Devreaux; thence south 4 degrees 45 minutes east along said line to the south-east corner of Fair-ground and Williams Street; thence south along the eastern line of Fair-ground Street 375 feet

to a stake; thence west along the north line of Newton Street, as shown by J. W. N. Burkett's map, to a stake 22 feet west of the west line of Poplar Corner road; thence south 1 degree 15 minutes east to a point 177 feet south of south line of Poplar Street or Denmark road; thence south 50 degrees 40 minutes east to the third sewer man-hole, north of Tennessee Midland Railway; thence south along said Bolivar Road to a point 50 feet south of Tennessee Midland Railway; thence in an easterly direction to the northeast corner of Liberty and South Streets; thence in an easterly direction to the point of beginning—all courses given being magnetic.

SEC. 2. *Be it further enacted*, That so much said Section 1 of said act of March 1, 1889, approved March 16, 1889, and all other acts as are in conflict with this act be, and the same are hereby, repealed.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 143.

AN ACT to amend the twelfth and fourteenth sections of an act, entitled "An act to amend the charter of the city of Nashville, and to amend the eleventh section of the Acts of 1851, Chapter 13, entitled 'An act to incorporate the city of Chattanooga, and for other purposes, passed 11th of November, 1851, and to incorporate the Sumner Cashmore Company,' and also to incorporate the town of Bristol, in Sullivan County, passed February 22, 1856;" and also to amend Section 1 of an act entitled "An act to change time of electing the board of mayor and aldermen of the town of Bristol; to make the term of office of the mayor for two years, instead of one, as by the present charter; to change the time of inducting the mayor and aldermen into office; to define the powers and duties of the mayor, recorder, and town constable; to change the time, mode, and manner of electing town constable; to amend the charter of the said town, the same being the Acts of 1855-56, Chapter 119, Sections 11 to 23, inclusive; and the Acts of 1857-58, Chapter 40, Sections 37 to 40, inclusive, amendatory thereto, so as to establish a work-house, lock-up, or calaboose, and chain-gang within the corporate limits of said town," passed April 1, 1881; and also to further amend said charter, by providing more effectually for the collection of back taxes, and taxes that have been omitted or overlooked within corporation limits of said town of Bristol.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 12 of an act of the General Assembly of Tennessee, entitled "An act to amend the charter of the city of Nashville, and to amend the eleventh section of the Acts of 1851, Chapter 13, entitled 'An act to incorporate the city of Chattanooga, and for other purposes, passed 11th of November, 1851, and to incorporate the Sumner Cashmore Company,' and also to incorporate the town of Bristol, in Sullivan County, passed February 22, 1856," be, and the same is hereby, amended as to read as follows, viz.:

"That the corporation of Bristol shall have full power and authority to enact and pass such laws as may be necessary to prevent and remove nuisances; to provide for regulating and licensing auctions, taxing, regulating, or restraining theatrical or other public amusements and shows within the bounds of the corporation; to restrain and prohibit gambling; to establish night-watches and patrols; to ascertain, when necessary, the boundary and location of streets, lanes, and alleys, with the consent of the proprietors of the lots and houses adjoining such streets, lanes, and alleys;

Powers of town  
of Bristol.

to have and keep in repair the streets; to pass all laws necessary for the same; to establish necessary inspection within the town; to enact and regulate markets; to provide for the establishment and regulation of a fire company, and sweeping of chimneys; to provide water, by the digging of wells or otherwise; to enact and regulate pumps; to impose and appropriate fines, penalties, and forfeitures for a breach of the by-laws or ordinances; to appoint a recorder; to provide for the assessment of all property within the corporate limits of the said town of Bristol liable to taxation, the value thereof to be ascertained in the same manner and upon the principle as fixed by the laws of the state for the assessment of state and county taxes, and to lay and collect all taxes thereon necessary for municipal purposes; to levy a tax on all privileges, and collect the same, for municipal purposes; and to pass all laws and ordinances necessary and proper to carry the intent and meaning of this act into effect; *Provided*, They are not incompatible with the constitution and laws of this state."

SEC. 2. *Be it further enacted*, That Section 14 of said act, and the first section of an act, entitled "An act to change the time of electing the board of mayor and aldermen of the town of Bristol; to make the term of the office of the mayor for two years instead of one, as by the present charter; to change the time of inducting the mayor and aldermen into office; to change the time, mode, and manner of electing town constable; to amend the charter of said town; the same being the Acts of 1855-56, Chapter 119, Sections 11 to 23 inclusive, and the Acts of 1857-58, Chapter 40, Sections 37 to 40 inclusive, amendatory thereto, so as to conform to this act, and so as to establish a work-house, lock-up or calaboose, and chain-gang within the corporate limits of said town," passed April 1, 1881, be, and the same are hereby, amended so as to read as follows, viz.:

Mayor and  
aldermen of  
Bristol.

"That there shall be nine aldermen for the town of Bristol, instead of seven, as heretofore; that the term of the present incumbents of the office of mayor and aldermen of the town of Bristol expire on the first day of May, 1893; that the next election of said officers shall take place on the first Tuesday of May, 1893, and the same day in each year, and every year thereafter, except the office of mayor, which shall be on the first Tuesday of May, 1893, and on the same

day each and every two years thereafter, so that the said mayor and alderman shall, from and after said first election, held, as above provided, in 1893, the aldermen shall continue in office for one year from and after the first Tuesday in May, 1893, and until their successors are elected and qualified; the mayor to continue in office for the term of two years from the said first Tuesday in May, 1893, or until his successor shall be elected and qualified; and that after said election in each and every year, the aldermen shall be installed into office on the first Monday after the first Tuesday in May after their election, and the mayor shall be installed into office on the first Monday after the first Tuesday in May after his election in 1893, and every two years thereafter. If, for any cause, there should be no election as herein provided, the old board of mayor and aldermen shall hold over until their successors are elected and qualified; that the sheriff of Sullivan County, after ten days' previous notice, shall, by himself or one of his deputies, hold the elections for the mayor and the nine aldermen in the corporate limits of Bristol, at the times and in the manner herein indicated, and make his report thereof to the board; that all persons living within the limits of said corporation who would be qualified to vote for members of the general assembly, and persons owning a freehold, or householder within the bounds of said corporation, shall be entitled to vote for mayor and aldermen for said corporation; and no person shall be eligible for the office of mayor and alderman unless he be a citizen (or a freeholder) in the town of Bristol; and in the case of death, removal, or resignation of any of the officers of said corporation, the mayor and aldermen shall have power to fill such vacancies for the time unexpired.

SEC. 3. *Be it further enacted*, That the collector of taxes for the corporation of Bristol be, and he is hereby, made an assessor to assess all property within the limits of said corporation liable to taxation for municipal purposes, which by mistake of law or fact has not been assessed, whether the omission be for the particular year for which the collector is acting, or for any previous year or years, and it is hereby made the duty of said collector, in all cases where property has not been assessed for municipal taxes within said corporation, but on which taxes ought to

Collection of  
taxes.

Contest as to  
assessment and  
taxation.

Justice's juris-  
diction in tax  
cases; appeal.

be paid by law, to immediately assess the same and proceed to collect the municipal taxes thereon; that such collector is hereby authorized to assess and collect municipal taxes upon property for all the years for which taxes ought to have been paid upon such property, but have not been paid, in consequence of errors or omissions of former collectors or assessors. And if the owner of such property admits the liability of the property to municipal taxation, but disputes the assessment, he may have a valuation of the same before the board of mayor and aldermen of said town of Bristol, who may hear proof and fix the valuation and assessments, and the same shall be final. In case the owner of such property denies the right of said municipality to tax his property, and claims that it is exempt by virtue of the constitution, or any law or ordinance, but raises no question as to the amount or value fixed in assessing the property, then such collector shall submit the facts to the board of mayor and aldermen of the town of Bristol, and if the said board directs the collector to proceed to the collection of said taxes, the said collector shall immediately, and without any delay, obtain from any justice of the peace of Sullivan County within said corporation of Bristol a warrant or warrants in the name of the mayor and aldermen of the town of Bristol, against the owner of said property, for said taxes, and which shall be served on the owner of said property, or, if he be a non-resident, and service of process cannot be had, then publication shall be made for him in the manner required by law for non-residents, and set for trial before some justice of said county within said corporation, and said justice or justices shall have the right to try said cases, no matter what the amount, and the same shall be tried without delay, with a right to either party to appeal to the law courts of Bristol, and the appeal shall go to the next succeeding term of said court, unless the said court is in session at the time the appeal is taken, and in that case the appeal shall be to the term being held, and shall be entered and tried at said term; *Provided*, Said appeal is proper, and obtained, and bond given therefor, within two entire days, Sundays excepted, as now provided by law in appeals from justices of the peace; and in case the defendant appeals, the appeal bond to be executed by him shall be in an amount double the amount of the taxes claimed, con-

ditioned to pay the amount of said taxes, costs, etc., should he fail to prosecute his appeal successfully, or otherwise comply with the judgment of the court to which the appeal may be taken. In case the owner of the property disputes both the assessment—as to the amount—and the right to tax his property, then he shall have ten days to have a re-assessment before the mayor and aldermen of the town of Bristol, and at the end of the ten days the collector of said taxes for said town shall proceed to obtain warrants and prosecute the collection of said taxes so disputed in the manner above indicated. Said collector shall keep a separate account of taxes collected by him under the provisions of this section. Re-assessment  
—when.

SEC. 4. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby, repealed.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 144.

AN ACT to authorize and enable the mayor and aldermen of Dyersburg to issue coupon bonds for the purpose of improving the streets and providing necessary sewerage in said town.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and aldermen of Dyersburg, Tennessee, be, and they are hereby, authorized and empowered, in their corporate capacity, to issue interest-bearing coupon bonds of said town, signed by the mayor and countersigned by the recorder of said town, to an amount not to exceed the sum of twenty-five thousand dollars (\$25,000), the pro- May issue  
bonds; amount;  
object.

ceeds of which shall be used exclusively for the purpose of improving the streets and providing necessary sewerage for the said town of Dyersburg; *Provided, however,* That said bonds shall not be issued until an election is held in said town, to determine whether the legal voters of said town favor the issuance of said bonds.

Election.

SEC. 2. *Be it further enacted,* That the mayor and aldermen of said town shall, by ordinance, appoint some suitable time at which to hold said election, and shall order and direct the town marshal to open and hold said election, which shall be held under such regulations and restrictions as the said mayor and aldermen establish.

Qualifications  
of voters.

SEC. 3. *Be it further enacted,* That all persons who are qualified voters, to vote for mayor and aldermen of said town, shall be entitled to vote in said election, and no registration shall be required or necessary in order to vote in said election.

Tickets; two-  
thirds vote re-  
quired.

SEC. 4. *Be it further enacted,* That all persons voting in said election who are in favor of the issuance of said bonds, shall have written or printed on their tickets, "In favor of the bonds;" and all persons voting in said election who are opposed, shall have written or printed on their tickets, "Against the bonds;" and, if two-thirds of the votes cast in said election shall be in favor of the bonds, then the said bonds shall be issued.

Denomination,  
interest, ma-  
turity, etc.

SEC. 5. *Be it further enacted,* That said bonds shall be in denominations of \$100, \$500, and \$1,000, with coupons attached, the interest to be paid semi-annually, and not to exceed 6 per cent. per annum. The said bonds shall mature in twenty years, and may be redeemed, at the option of the said mayor and aldermen, at any time after the expiration of five years; nor shall said bonds be sold or hypothecated for less than one hundred cents to the dollar.

Interest and  
sinking fund  
tax.

SEC. 6. *Be it further enacted,* That in order to pay the interest on said bonds as the same shall become due, and also to provide the necessary sinking fund to enable said bonds to be repaid or redeemed on or before maturity, the said board of mayor and aldermen shall annually levy a special tax on all property and privileges within the corporate limits of the town of Dyersburg, not to exceed twenty-five cents on the hundred dollars of property, or the state tax on privileges, in any one year.



SEC. 7. *Be it further enacted*, That all of said bonds and coupons thereon shall be receivable for any and all debts and taxes due the said board of mayor and aldermen of Dyersburg, except the taxes due for the payment of said interest-coupons and said sinking fund. The sinking fund herein created and provided for shall be invested in the purchase or redemption of said bonds; and the said board of mayor and aldermen shall provide, by proper ordinance, for having the provisions of this section carried out.

Bonds and coupons receivable for taxes—exception.

SEC. 8. *Be it further enacted*, That the money arising from the sale of the bonds herein provided for shall be expended under the ordinances and directions of the board of mayor and aldermen of Dyersburg; and the treasurer of said board shall be required to give bond, with approved security, for the safe-keeping and paying out of said money.

How expended; treasurer to give bond.

SEC. 9. *Be it further enacted*, That before said bonds or any of them are issued, they shall all be numbered, together with the coupons attached, and signed by the mayor, and countersigned by the recorder of said board, and each bond, in addition, shall have the corporate seal attached thereto.

Authentication of bonds.

SEC. 10. *Be it further enacted*, That the date of issuance, number, and amount of each of said bonds with the coupon thereto attached, and to whom sold or hypothecated, shall be entered by the recorder in a well-bound book to be provided for that purpose, which book shall at all times be open to the inspection of the tax-payers of said town.

SEC. 11. *Be it further enacted*, That this act shall take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 1, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 145.

AN ACT to authorize Sevier County to issue bonds for the purpose of building and furnishing a court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Sevier, through her quarterly county court, be, and the same is hereby, authorized and empowered to issue coupon bonds of the county, for the purpose of building and furnishing a court-house for said county, in any sum not to exceed in the aggregate twenty thousand dollars (\$20,000), bearing interest at a rate not to exceed six per cent. per annum, said interest payable annually; and the bonds herein provided for to be payable ten years from date thereof, but may be redeemed at any time after two years by order of the said quarterly county court; *Provided*, That three-fourths of the justices of said court attend the term thereof at which the issuance of bonds shall be passed upon, and vote for said issuance.

May issue court-house bonds; amount, interest, maturity.

Three-fourths vote of justices.

Authentication, denomination, etc

SEC. 2. *Be it further enacted*, That said bonds shall be signed by the judge or chairman of the county court of Sevier County, and countersigned by the clerk of the county court of said county with his official seal affixed to the same, and shall be in the denomination of one hundred dollars each, and shall be numbered in the order of issuance, beginning with one.

Coupons receivable for county taxes—exception.

SEC. 3. *Be it further enacted*, That each of said bonds shall have attached to it ten coupons, showing the amount of each annual installment of interest on said bond, and when the same shall fall due, which coupon shall be signed in the same manner as the bonds, but without the official seal of the clerk, and showing on their face the number and denomination of the bonds to which they are attached. The coupons herein provided for shall become due annually, and, when due, shall be receivable in payment of any county taxes, except the sinking fund tax hereinafter provided for; and when so received or paid off by the trustee or tax-collector, shall be by him canceled by stamping or writing on the face thereof the date received or paid, and held by him as his voucher for the

payment on his settlement with the judge or chairman of the county court, who will preserve said coupons as a part of the records of his office.

SEC. 4. *Be it further enacted*, That it shall be the duty of the quarterly county court of said county annually to levy a tax on the taxable property of said county, for the purpose of paying the annual interest on said bonds, and also for the purpose of creating a sinking fund for the redemption of the bonds herein authorized, when they fall due, or are called in or redeemed as hereinafter provided; and to enable the county court to know what amount of tax to levy for these purposes, the judge or chairman of the county court shall keep in a well-bound book a record of the number and denomination of all bonds issued, to whom issued, and also of all bonds and coupons redeemed or paid.

Interest and sinking fund tax; record of bonds.

SEC. 5. *Be it further enacted*, That the trustee or tax-collector shall collect and account for the tax herein authorized, in the same manner as he is now required to collect and account for other county taxes, and he shall receive the same compensation as for collecting and accounting for other county taxes; and the county court may, when it thinks proper, require such trustee or tax-collector to give an additional bond for the performance of his duties in collecting and accounting for said fund.

Trustee to collect, bond.

SEC. 6. *Be it further enacted*, That before the expiration of the two years from the date of the issuance of said bonds, the trustee or tax-collector may, at his option, redeem any of said bonds presented for redemption out of any money that may be in his hands derived from said sinking fund tax, or may receive said bonds in payment of said sinking fund tax; and after the expiration of said two years, it shall be the duty of the trustee or tax-collector to call for such an amount of said bonds as the sinking fund in his hands will redeem, calling for them by number, commencing with the lowest number, and redeeming them in the order in which they were issued of such as are outstanding, and for this purpose he shall have access to the judge's or chairman's books in which said bonds are numbered.

Redemption.

SEC. 7. *Be it further enacted*, That the call provided for in Section 6 of this act, shall be made by the county judge or chairman of the county court of said county by advertisement for thirty days in a newspa-

Call for redemption—how made, etc.

per published in said county. If there be no newspaper published in the county, then notice of said call shall be duly posted on the court-house door for a like term of thirty days, setting out the number and denomination of said bonds so called for; and such bonds not being presented for payment at the expiration of the said thirty days, the interest thereon shall cease from that date; and the coupons not due thereon shall not thereafter be received for taxes not paid, but shall become void; and should the bonds so called for be withheld, then shall the trustee, in like manner, call for other bonds in regular order until the amount required be presented for redemption; and when any bonds are redeemed as herein set out, the trustee or tax-collector shall, upon settlement with the judge or chairman of the county court, have credit therefor on account of sinking fund tax; and after they have been entered on the chairman's book, as aforesaid, said bond shall be defaced by stamping or writing across the face of the same the date when they were accounted for on settlement, and the same filed with the coupons thereon as parts of the records of the judge's or chairman's office.

SEC. 8. *Be it further enacted*, That said bonds shall not be sold for less than par value.

SEC. 9. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 9, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 146.

AN ACT to repeal an act, entitled "An act to permit incorporated companies chartered by the chancery courts or under the Acts of 1875, approved March 23, 1875, to amend their charters in the manner provided by law for amending charters of incorporations granted by the legislature," passed March 23, 1883, and approved March 27, 1883, and to authorize and empower incorporated companies chartered by the chancery courts of this state to continue their corporate existence, and become vested with all of the powers, rights, and privileges, and become subject to all of the penalties, limitations, and restrictions, granted and imposed by the act, entitled "An act to provide for the organization of corporations," passed March 19, 1875, and approved March 23, 1875, and all subsequent amendments thereof, in lieu and in place of the powers, rights, and privileges granted, and the penalties, limitations, and restrictions imposed by their original letters of incorporation granted by the chancery courts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act, entitled "An act to permit incorporated companies chartered by the chancery courts or under the Acts of 1870, approved March 23, to amend their charters in the manner provided by law for amending charters of incorporations granted by the legislature," passed March 23, 1883, and approved March 27, 1883, be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That any persons organized as a corporation under a charter granted by any of the chancery courts of this state, who at any time before the final dissolution of such corporation as now provided by law, may desire to amend their charter for the purpose of continuing corporate existence, and becoming vested with all the powers, rights, and privileges granted, and becoming subject to all of the penalties, limitations, and restrictions imposed by the act, entitled "An act to provide for the organization of corporations, passed March 19, 1875, and approved March 23, 1875," and all subsequent amendments thereof, in lieu and in place of the powers, rights, and privileges granted, and the penalties, limitations, and restrictions imposed by their original chancery court charters, shall have the right so to do by the board of directors of such corporation making an application in these words: "We the undersigned, composing the board of directors of [here insert name

Charter amendments of corporations.

Form of application for amendment.

of corporation] hereby apply to the State of Tennessee, by virtue of the laws of the land, for an amendment to the charter of said ———, granted by the court, ——— county ———, Tennessee, whereby said corporation may continue its existence, and become vested with all of the powers, rights, and privileges granted, and be and become subject to all of the penalties, limitations, and restrictions imposed by the act, entitled 'An act to provide for the organization of corporations,' passed March 19, 1875, approved March 23, 1875, and all subsequent amendments thereof, in lieu and in place of the powers, rights, and privileges granted, and the penalties, limitations, and restrictions imposed by the original charter granted to said company by the chancery court of ——— County, Tennessee. Witness our hands, this ——— day of ———, 189 .'' To be signed by all of the directors.

Probate; completion of amendment—its validity.

SEC. 3. *Be it further enacted*, That the said application for amendment shall be probated or acknowledged and recorded as provided by the said Act of 1875, Chapter 142, Sections 3 and 26, as in case of application for original charters; and the certificate of registration given by the secretary of state, under the great seal of the state, shall, when recorded as required, complete the act of amendment, and the validity thereof shall not in any legal proceedings be collaterally impeached or questioned, and said corporation shall thereafter continue to exist in the same manner as if it had been originally chartered under said act, entitled "An act to provide for the organization of corporations," passed March 19, 1875, approved March 23, 1875, and the amendments of said last named act, and shall have the same powers, rights, and privileges, and none other, and be subject to the same penalties, limitations, and restrictions, and none other, as if it had been originally chartered under said act and its amendments; nor shall it thereafter be subject to any of the penalties, limitations, and restrictions imposed upon by its chancery court charter, saving and excepting such as are embraced in and imposed by said act of 1875, being Chapter 142, approved March 23, 1875, and subsequent amendments thereof.

Fees.

SEC. 4. *Be it further enacted*, That the fees of the secretary of state, registers, and county court clerks; for the registration, probate, and acknowledgment of the amendments herein provided for shall be the same

as provided in the case of original charters by the said Acts of 1875.

SEC. 5. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 147.

AN ACT for the protection of game in Franklin County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person to hunt or kill, or in any way destroy, deer between and including the months of January and September, in Franklin County.

SEC. 2. *Be it further enacted*, That it shall be unlawful to kill wild turkeys, from the first of April until the first of September, in Franklin County.

SEC. 3. *Be it further enacted*, That trapping and snaring of wild turkey is forbidden at all seasons of the year in said county.

SEC. 4. *Be it further enacted*, That quail or partridge shall not be shot, or in any otherwise taken, from the first of April until the first of December, in said county.

SEC. 5. *Be it further enacted*, That trapping and netting of partridge and quail is prohibited at all seasons of the year in said county.

SEC. 6. *Be it further enacted*, That it shall be unlawful to take fish from any of the running streams in Franklin County, except by hook and line. Grabbing (except for red-horse), trapping, netting, gigging, seining (except for minnows for bait), shooting, and dynamiting are prohibited.

SEC. 7. *Be it further enacted*, That any one violating any of these acts, on conviction, shall, for the first offense, be fined not less than \$10 nor more than \$25; and, for all offenses thereafter, not less than \$25 nor more than \$50.

SEC. 8. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 148.

AN ACT to authorize the mayor and aldermen of the city of Columbia to issue coupon bonds in an amount not to exceed one hundred thousand dollars (\$100,000), for the purpose of purchasing the water-works now owned by the Columbia Improvement Company, under the provisions of a contract made between said city and the Columbia Water-works Company, by an ordinance passed and approved January 28, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and aldermen of the city of Columbia, Tenn., be, and they are hereby, authorized and empowered, in their corporate capacity, to issue interest-bearing bonds with coupons attached, of said city, signed by the mayor and countersigned by the president of the board of supervisors of said city, to an amount not to exceed one hundred thousand dollars (\$100,000), for the purpose of purchasing the water-works now owned by the Columbia Improvement Company under an appraisment according to the provisions of a contract made by ordinance passed and approved January 28, 1884; and said mayor and aldermen shall have power to issue any of said bonds exclusively for said purpose in such amounts and at such times as they shall deem best; *Provided*, That none of said bonds shall be issued until an elec-

May issue  
bonds.



tion has been held in said city as hereinafter provided, to determine whether the legal voters of said city favor the issuance of all or any portion of said bonds for the purpose designated in this act.

SEC. 2. *Be it further enacted*, That any and all bonds issued at any time under this act shall be of such denominations, bear such rate of interest not to exceed six per cent. per annum, and be due in such time, not less than five nor more than thirty years from date, and payable at such time and places as the said board of mayor and aldermen may determine. Denomination, interest, maturity.

SEC. 3. *Be it further enacted*, That before said mayor and aldermen shall issue any of the bonds contemplated by this act, they shall first order and cause to be held an election of the voters of said city, and prescribe the rules and regulations thereof, and shall give notice of said election by publication in a newspaper in said city once a week for two successive weeks, specifying in the notice the amount of the bonds purposed to be issued, and if a majority of the persons voting at said election are in favor of issuing the bonds accordingly, then the mayor and aldermen may issue them. Election; majority vote required.

SEC. 4. *Be it further enacted*, That all persons living in said city who are legal voters according to the laws of Tennessee, and all persons owning real estate within the limits of said city, although they may not reside within the same, shall be entitled to a vote at said election. Qualifications of voters.

SEC. 5. *Be it further enacted*, That the mayor and aldermen of said city of Columbia shall, by ordinance, provide for the assessment, levy, and collection of such taxes as may be necessary to pay off said bonds so issued and the accruing interest thereon, and may provide a sinking fund for that purpose. Interest and sinking fund tax.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 149.

AN ACT to invest the governor of the state with power to repeal invasion and suppress insurrections, mobs, or other like unlawful assemblages.

Governor may call out certain forces—when. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the governor be, and is hereby, invested with full powers and authority to summon, call out, maintain, and use the forces hereinafter designated and placed at his disposal for the purpose of repelling any invasion of the state, and to suppress all insurrections, mobs, and other like unlawful assemblages, whether existing or imminent, that shall in his opinion be too formidable for the local county authorities, or shall threaten, to any serious extent, the immediate interests of the state. He is authorized to keep said force, or so much thereof as he may deem necessary, in the employ of the state so long as the necessity therefor appears to exist.

What forces may be called. SEC. 2. *Be it further enacted*, That the governor shall have, for the purpose aforesaid, the power and authority to summon and call to his aid the sheriff of each and every county in the state, with such posse, or number of citizens of his county, as may be designated in the summons; or the governor may summon and call to his aid the state guard of Tennessee, which, for purely state purposes, is declared and shall be known as the army of Tennessee, and of which, considered as a military band, the governor is commander-in-chief; or, if deemed necessary, he may summon both said forces. In the event said military force be summoned or called out, it shall be subject to the discipline and shall receive the pay prescribed by military laws of the state as the means of rendering it most efficient, but shall be used and wielded by the governor, so far as practicable and the circumstances will admit, as a civil force or power, and for the purpose alone of upbuilding the civil law. If the sheriffs and posse are called or summoned by the governor for the purpose aforesaid, they shall likewise be subject to the discipline and shall receive the pay prescribed by the military law of the state for those engaged actively in that service. The governor shall have command and control of said forces.

SEC. 3. *Be it further enacted*, That the governor is authorized to purchase all necessary supplies for said forces while in active service, and for that and their compensation to draw upon the public treasury, to be paid out of any funds that shall be appropriated for that purpose. Governor to purchase supplies.

SEC. 4. *Be it further enacted*, That it shall be a misdemeanor, punishable by fine of not less than \$10 nor more than \$50, and, in the discretion of the court, imprisonment not to exceed thirty days, for any sheriff or other person to refuse or fail to obey promptly any summons or call of the governor, or for any citizens to refuse or fail to obey promptly the summons of any sheriff, or for any one to disobey or refuse to comply with any order or command of the governor or of his superior while in service, or for any one to leave or desert service. The delinquent shall, also, in every case, forfeit all compensation. The punishment here prescribed is in addition to that prescribed by the military law. Penalty.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after the date of adjournment of the present session of the general assembly.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*'Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 150.

AN ACT to provide for the maintenance of the National Guard of the State of Tennessee, or Army of Tennessee, in times of peace, and to fix the salary of the adjutant-general.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there is hereby appropriated out of the state treasury, chargeable to the state revenue fund, for the support and maintenance of the National Guard of the State of Tennessee, or the

army of the State of Tennessee, the sum of forty-five thousand dollars, the said sum to be used as directed, and apportioned by commander-in-chief, adjutant-general, and secretary of state for the necessary expense of maintaining said national guard or army of Tennessee, nor more than thirty thousand dollars to be used in the year 1893, and fifteen thousand dollars to be used in the year 1894. The amounts so appropriated shall be paid by the state treasurer, on warrants of the comptroller, which warrants shall be issued on the requisition of the adjutant-general and the secretary of state, approved by the governor; that a report of the expenditure had, under this act, be made by the officials to whom the same is intrusted to each biennial general assembly, through the governor of the state; *Provided, however,* That nothing in this act shall authorize an expenditure of over fifteen thousand dollars per year, except in case of an insurrection or riot, to suppress and subdue which, in the opinion of the governor and adjutant-general, it is necessary to call out and maintain at the place of the insurrection or riot the state guard or militia.

SEC. 2. *Be it further enacted,* That the salary of the adjutant-general is fixed at eighteen hundred dollars per annum, to be paid out of this appropriation.

SEC. 3. *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 151.

AN ACT to prevent the spread of communicable diseases, and to fix the penalty for the violation of this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whenever any case of small-pox, yellow fever, cholera, or other communicable disease exist, except it shall not embrace any venereal disease, such as gonorrhœa or syphilis, or is suspected to exist in any household, it shall be the duty of the head of said household to immediately notify the municipal or county health authorities of the town or county wherein such disease or diseases exist, or is supposed to exist.

Duty of head of householders, as to certain diseases.

SEC. 2. *Be it further enacted*, That whenever any physician, surgeon, or practitioner of medicine shall know or suspect that a person or persons whom he has been called to visit, or who has been brought to him for examination, is infected with any of the aforementioned diseases, he shall immediately notify the health authorities of the town or county in which said diseased person or persons are found.

Duty of physician, etc., as to.

SEC. 3. *Be it further enacted*, That it shall be the duty of all municipal or county health authorities aforesaid, without delay, upon receiving as is above provided for, immediately proceed to carry out such rules and regulations as the state board of health may prescribe, having for their object the prevention and restriction of the disease or diseases aforementioned in Section 1 of this act. Said local health authorities shall further, upon the receipt of said notice of existing or suspected disease aforesaid, notify the board of education of such municipality, if the case exist in a town, or, if in the country, the county health-officer, of the facts in every such case, giving name, age, and sex of the individual so sick, name of disease, street, and number of house, if in town, or otherwise sufficiently designate the house if in the rural districts; and said public school authorities shall not allow any pupil to attend any public schools from said house while any inmate of same is sick of small-pox or other communicable disease, or during a

Duty of municipal, county health, and school officers..

period of two weeks after the death, recovery, or removal of such sick person.

State board of  
health to be  
notified.

SEC. 4. *Be it further enacted*, That it shall be the duty of each and every municipal or county board of health in this state, upon receiving information of the existence or suspected existence in their respective jurisdictions of any case of small-pox, cholera, yellow fever, scarlet fever, diphtheria, or other disease dangerous to the public health, to immediately notify the state board of health of the fact, and, in addition, on the first of each and every month make a written report, and forward the same, without delay, to said board, of all communicable diseases occurring in their respective jurisdictions for the month last preceding, setting forth in said report, in separate columns, the age, color, and sex of the individual, name of each disease, number of cases, number of deaths, together with such other information as said state board of health may desire.

Penalty.

SEC. 5. *Be it further enacted*, That any individual or individuals mentioned in this act who shall willfully neglect or refuse to comply with either of the above provisions shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten nor more than one hundred dollars, or confined in the county jail for a period of not more than three months, one or both, in the discretion of the court.

SEC. 6. *Be it further enacted*, That all acts and parts of acts in conflict with this act be, and they are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 152.

AN ACT to make it a misdemeanor in the counties of Greene and Bradley to kill or capture any game birds from February the first day, to the first day of November in each year, and at any time to kill or capture birds of song or birds known to destroy insects.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall not be lawful, in the counties of Greene and Bradley, for any person to hunt, kill, or capture, from the first day of February, to the first day of November in each year, any game bird, as pheasant, grouse, quail, partridge, lark, dove, woodcock, or snipe; nor at any time to kill or capture any of the birds of song, as the thrush, the robin, the red-bird, the oriole, the mocking-bird; nor any of the birds known to destroy insects, as the American sparrow, blue-bird, woodpecker, yellow-hammer. Any person violating the provisions of this act shall be guilty of a misdemeanor, and shall, upon presentment, or indictment and conviction, pay a fine not less than five dollars, or imprisonment not less than five days in the county jail in the county where the offense is committed, at the discretion of the court.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 153.

AN ACT to amend Chapter 44 of the Acts of 1889 relative to the leasing of school lands for mining purposes.

WHEREAS, In pursuance of the provisions of Chapter 44 of the Acts of 1889 the school lands therein mentioned as lying in Polk County, Tennessee, were leased for the purpose of mining the copper ores thereon; and,

WHEREAS, It has since been discovered that iron, and perhaps other ores, exist upon said property; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 44 of the Acts of 1889 be amended so as to authorize and empower the commissioners elected thereunder to make an agreement with the lessees of said property, their successors or assigns, giving them the right to mine and use such iron or other ores as exist upon said property, upon such terms and conditions as may seem right and proper to said commissioners; *Provided, however*, That the term of any such agreement or lease shall not extend beyond the term of the existing lease on said property.

SEC. 2. *Be it further enacted*, That the provisions of this act shall apply to any other school lands in the state under like circumstances, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*



## CHAPTER 154.

AN ACT to provide that all appeals from causes tried in the circuit or chancery courts held in and for the county of Perry shall be taken to the supreme court at Jackson, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That* all appeals from causes tried in the circuit or chancery courts held in and for the county of Perry be, and the same shall be, taken to the supreme court at Jackson, Tennessee.

SEC. 2. *Be it further enacted, That* all laws and parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 155.

AN ACT to extend the corporate limits of the city of Nashville, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That* the corporate limits of the city of Nashville be so extended as to include in the corporate limits of the city of Nashville lot No. 2 in Bostic plan of lots, registered in register's office, in Davidson County, in book —, page —, fronting 56 feet on west side of Bostic Street, and running back 150 feet to an alley; and lot 46 in Waverly Land Company plan, in book 57, page 95, in register's office of Davidson County, fronting 200 feet, more or less, on the south side of Prospect Avenue, in said plan, and running back 229 feet to an alley; and a lot of land beginning at a point on Douglass Avenue, at

the present corporation line at the intersection of a sixteen-foot alley, and running westwardly, parallel with Paterson or Cumberland Street, 600 feet to a point opposite the corporation line in Boyd Avenue; thence southwardly, parallel with Douglass Avenue, 170 feet to corporation line in Boyd Avenue, the property beginning at a point, the intersection of the east margin of Ridley Avenue and the alley dividing the Alloway property from Waverly Place, and running thence northwardly along the eastern margin of said Ridley Avenue to the point of intersection of the corporation line on Chestnut Street, including the property lying west of this line and the present corporation line.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 156.

AN ACT to amend Section 37 of an act, entitled "An act to reduce the acts incorporating the city of Knoxville, and the various amendments thereto, to one act, and to amend the same," passed June 10, 1885, so as to provide that the board of public works may prescribe rules allowing firemen, policemen, and market-masters leave of absence for a period not exceeding fifteen days in any one year, without loss of salary.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 37 of an act, entitled "An act to reduce the acts incorporating the city of Knoxville, and the various amendments thereto, to one act, and to amend the same," passed June 10, 1885, be so amended as to insert after the words, "at their discretion," and before the words, "the board of public works," the following words: "The board of

public works may prescribe rules allowing firemen and policemen, also market-masters, leave of absence for a period not exceeding fifteen days in any one year, without loss of salary."

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 157.

AN ACT to authorize the city of Clarksville to purchase water-works and issue bonds for that purpose; to prescribe rules for the operation of such works, and fix penalties for their violation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the city of Clarksville be authorized to purchase water-works system in said city, with its franchises, stand-pipes, mains, and machinery. Authorized to purchase water-works.

SEC. 2. *Be it further enacted*, That the city, for the purpose of said purchase, and to make extensions, improvements, etc., is authorized to issue \$28,000 of its coupon bonds, said bonds to be styled "water-works bonds," numbered from 1 to 56 inclusive, each to be for \$500, with interest coupons attached, to be signed by the mayor and countersigned by the recorder, but the signatures of these officers on the coupons may be lithographed; and in no case shall the bonds issued be sold except by the approval of the board of mayor and aldermen; said bonds issued under this act shall bear six per centum interest per annum, payable semi-annually at such place as may be designated by the contract, or a less rate of interest, if the city shall desire to so contract, but in no case shall the bonds be sold at less than par. Said Bonds—provisions as to.

bonds shall be due in thirty years from date of issue, but shall be redeemable by the city at its option after ten years.

Water revenue  
—how applied.

SEC. 3. *Be it further enacted*, That the revenue derived from the operation of the water-works shall be applied to the running expenses, to the payment of the \$82,000 mortgage bonds now on the plant first, and after that to the interest on the bonds to be issued under the provisions of this act, and to betterments of extensions, and if there should then be a surplus, it shall be applied to the retirement of the debts of the water-works company, or the issue bonds herein provided for, and in no case shall such revenue be used for other purpose until after the payment of all indebtedness upon said plant, or created for its purchase or extension and improvements.

Water-works  
officers; water  
rates.

SEC. 4. *Be it further enacted*, That the board of mayor and alderman may elect proper officers for the operation of said plant, or prescribe the manner of this selection, and fix their salaries, and may prescribe, by ordinance, rate to consumers of water, or may make special contracts in special cases, and may prescribe penalties for breaches of proper rules for the management of the water-works, as fixed by the board by the proper ordinance.

SEC. 5. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 158.

AN ACT to authorize the board of trustees of Washington Academy, in Cookeville, Putnam County, to convey the academy grounds and buildings of said academy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the board of trustees of Washington Academy, of Cookeville, Putnam County, Tenn., be, and they are hereby, authorized and required to transfer and convey, by deed conveying title in fee, or such titles as by law belongs to said academy, to the board of directors of the Cookeville High School, and their successors, the lot of land and buildings thereon, and all the hereditaments and appurtenances thereunto belonging where said academy is now situated in said town of Cookeville, the same to be forever used for educational purposes.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 8, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 159.

AN ACT to make it unlawful to employ a child less than twelve years of age in workshops, mines, mills, or factories in this state.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any proprietor, foreman, owner, or other person to employ any child less than twelve (12) years of age in any workshop, mill, factory, or mine in this state.

SEC. 2. *Be it further enacted*, That if any proprietor,

foreman, or owner should not be informed as to the age of the child, he or they can request the parent or guardian to furnish a sworn statement, which shall be sufficient proof of the age of the child.

SEC. 3. *Be it further enacted*, That any proprietor, foreman, or owner employing a child less than twelve (12) years of age, or any guardian or parent giving such sworn statement for a child less than twelve (12) years of age, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than fifty (50) dollars nor more than five hundred (500) dollars.

SEC. 4. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed February 1, 1893.

J. A. TROUSDALE,  
*Speaker pro tem. of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved February 4, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 160.

AN ACT to authorize the mayor and city council of Nashville, a municipality organized under the act of the general assembly, passed March 21, 1883, and approved March 27, 1883, being Chapter 114 of the Acts of 1883, to issue bonds for the construction of sewers, and of a bridge, and for the purpose of establishing and erecting electric light plants, and to secure the payment of said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and city council of Nashville, a municipality of Tennessee, organized under the acts of the general assembly, being Chapter 114 of the Acts of 1883, passed March 21, 1883, approved March 27, 1883, are hereby empowered, in their corporate capacity, to issue the bonds of said city or town, signed by the mayor and countersigned by the recorder, with interest coupons attached, which shall be signed by the treasurer of said

May issue  
bonds; authentication;  
amount.

city or town, to an amount not exceeding five hundred and fifty thousand dollars.

SEC. 2. *Be it further enacted*, That the bonds herein provided for may be executed in denominations from one hundred to one thousand dollars, and shall mature at such time within thirty years, as may be fixed by corporate ordinance, bearing interest at the rate of not more than six per cent. per annum, payable semi-annually. Denomination; maturity; interest.

SEC. 3. *Be it further enacted*, That four hundred thousand dollars of said bonds shall be known as "trunk sewer bonds," the proceeds of which bonds shall be used exclusively in the construction of "trunk sewers," as the mayor and city council, by ordinances, may direct. Sewer bonds.

SEC. 4. *Be it further enacted*, That one hundred and fifty thousand dollars of said bonds shall be known as "electric light bonds," and the proceeds thereof, or so much thereof as may be necessary to be used exclusively for building and equipping, or purchasing and repairing an electric light plant, and a system of electric light works, as may be determined by the mayor and city council of any such city or town. Electric light bonds.

SEC. 5. *Be it further enacted*, That all bonds issued under the provisions of the last preceding section, shall be and constitute a first lien on the electric light plant and system so built and equipped or purchased; and said entire plant and system shall be and remain security for the payment of said bonds, and the interest thereon accruing. Security for electric light bonds.

SEC. 6. *Be it further enacted*, That for the further security of the payment of said bonds, provided for in Section 4, the entire surplus receipts of said electric light works, over and above the running expenses, shall be used exclusively in the extension of the works, their care and maintenance, so long as any of the bonds are outstanding and unpaid; and any surplus shall constitute a trust fund for the entire period of said bonds, and same shall be applied exclusively to the payment of said bonds as they mature. Further security.

SEC. 7. *Be it further enacted*, That none of said bonds authorized to be issued by this act shall be sold or exchanged for less than their par or face value. Not sold below par.

SEC. 8. *Be it further enacted*, That said mayor and city council shall have the authority to issue, in addition to the bonds hereinbefore authorized, bonds to the amount of (\$100,000) one hundred thousand dol- Bridge bonds.

lars, to be known and designated as "bridge bonds," and which shall be used exclusively for the purpose of constructing a bridge on Demonbreun Street, in the city of Nashville, a municipality organized under Chapter 114, Acts of 1883, at the place where it is crossed by the Nashville, Chattanooga and St. Louis Railway. Said bonds shall be of such denomination, and bear such rate of interest, as said mayor and city council may designate, not to exceed 6 per cent.

Passed January 27, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved February 2, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 161.

AN ACT to pay certain indigent and disabled soldiers of the late war between the states.

WHEREAS, Under the various acts of the general assembly of this state, to-wit: The Acts of 1883, Chapter 242; 1887, Chapter 34; and 1889, Chapter 260, several indigent and disabled soldiers in the late war between the states were, on the 12th day of March, 1891, drawing a pension from the State of Tennessee; and,

WHEREAS, Some of the same indigent and disabled soldiers are drawing a pension under Chapter 64 of the Acts of the General Assembly of 1891, being an act entitled "An act for the benefit of the indigent and disabled soldiers of the late war between the states, and fix the fees of attorneys or agents for procuring such pensions, and fixing a penalty for a violation of same;" and,

WHEREAS, Said act of 1891, by the eleventh section thereof, repealed, from its passage, March 12, 1891, all the other acts of 1883, 1887, and 1889, above mentioned, and, by virtue of the fifth section of said act



of 1891, no pension was allowed for any time prior to the application under said act of 1891, thereby depriving the soldiers of their just pensions from the repeal of the acts of 1883, 1887, and 1889, on the 12th day of March, 1891, until the filing of their applications for a pension under the said act of 1891; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That all disabled and indigent soldiers, who were, on the 12th day of March, 1891, drawing a pension from the state, under the acts of the general assembly of this state, passed in 1883, 1887, and 1889, above stated, and filed applications and were allowed pensions under said act of 1891, are hereby granted and shall be paid pensions, per month, from the 12th day of March, 1891, up to the time of the commencement to draw a pension under said act of 1891, the same amounts as allowed them under said act of 1891; and the comptroller shall immediately issue to each soldier his warrant for the amount he is entitled to under this act, which warrant shall be paid by the treasurer of the state.*

SEC. 2. *Be it further enacted, That this act shall take effect from and after its passage, the public welfare requiring it.*

Passed February 4, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

R. M. BARTON, JR.,  
*Speaker pro tem. of the Senate.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 162.

AN ACT to authorize Bradley County to issue bonds for the purpose of building its court-house.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Bradley, through its quarterly county court, be, and is hereby, authorized and empowered to issue bonds of the county for the purpose of investing the court-house of the county, and meeting any outstanding indebtedness on account of said building, not exceeding the sum of twenty-five thousand dollars (\$25,000), bearing interest at the rate of 6 per cent. per annum, payable semi-annually. The said bonds to be payable in from one to six years from the date thereof, as said county court may order and direct; *Provided*, Three-fourths of the justices of said court attend, or have attended, the term thereof at which the issuance of said bonds is or was determined upon, and vote for said issuance.

SEC. 2. *Be it further enacted*, That said bonds shall be signed by the chairman of the county court of Bradley County, and countersigned by the clerk of said county court, with his official seal affixed to the same; and to be in the denomination of one thousand dollars each, and shall be numbered in the order of issuance, beginning with one.

SEC. 3. *Be it further enacted*, That each of said bonds shall have attached to it interest coupons, showing the amount of each semi-annual installment of interest on said bonds, and when the same shall fall due, which coupons shall be signed in the same manner as the bonds, but without the official seal of the clerk, and showing on their face the number of the bonds to which they are attached.

SEC. 4. *Be it further enacted*, That it shall be the duty of the county court annually to levy a tax on the taxable property and privileges of said county, for the purpose of paying the annual interest on said bonds, and for the purpose of creating a sinking fund to pay said bonds when due. And the trustee shall collect and account for said tax, and receive the same compensation he is allowed by law for collecting county tax.

SEC. 5. *Be it further enacted*, That said bonds shall not be sold for less than par value.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Adopted January 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved February 2, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 163.

AN ACT to empower and authorize the town of Lexington, a municipal corporation in Henderson County, Tennessee, to subscribe for or purchase twenty thousand dollars of the capital stock in the Paducah, Tennessee and Alabama Railroad Company, and to issue its bonds and exchange them for said railroad stock, or sell said bonds and apply the proceeds arising from said sale to the payment of said railroad stock, and to provide for the payment of said bonds and the interest thereon.

WHEREAS, On the — day of —, 1892, John H. Howard, J. L. Murray, L. A. Stanford, L. S. Woods, and others, being about nine-tenths of the citizens of the town of Lexington, Tenn., in order to secure the construction of the Paducah, Tennessee and Alabama Railroad from Hollow Rock, Tenn., to a junction with the Tennessee Midland Railroad within the corporate limits of the said town of Lexington, entered into an obligation, among other things, binding themselves to said Paducah, Tennessee and Alabama Railroad Company in the penal sum of twenty thousand dollars, to be void on condition they should have legally issued five thousand dollars of the coupon bonds of said town of Lexington, bearing interest at the rate of six per cent. per annum, payable semi-annually, and deliver same to said Paducah, Tennessee and Alabama Railroad Company by the first of April, 1893, in payment for a like amount

of the capital stock of said railroad company; and they, the citizens, also subscribed for fifteen thousand dollars of the capital stock of said railroad company, to be paid for as follows, viz.: Seven thousand and five hundred dollars in cash on the first of August, 1892, and seven thousand and five hundred dollars in cash on the second day of January, 1893, with interest from August 1, 1892, provided said line of railroad should be constructed and in operation from Hollow Rock, Tenn., Midland Railroad at said town of Lexington, Tenn., by the first day of January, 1893; and,

WHEREAS, Said Paducah, Tennessee and Alabama Railroad Company did so construct and have in operation its said line of railroad as above set forth on said first day of January, 1893; and,

WHEREAS, Said obligation was entered into and the subscription for said stock made as aforesaid by the citizens of said town of Lexington, after a full and free discussion of the matter in a public meeting, with the express agreement and understanding that as soon as the same could be legally done the town of Lexington would subscribe for or purchase from said Paducah, Tennessee and Alabama Railroad Company five thousand dollars of its capital stock, and in exchange or payment therefor issue, execute, and deliver to said railroad company a like amount of its bonds, bearing interest at the rate of six per cent. per annum, payable semi-annually, and, in addition thereto, said town of Lexington would issue and sell its coupon, interest-bearing bonds in sufficient amount to purchase said fifteen thousand dollars stock so subscribed for and paid for as follows, viz.: Seven thousand and five hundred dollars on the first of August, 1892, and seven thousand and five hundred dollars on the second of January, 1893, as aforesaid; and,

WHEREAS, The building of said railroad has greatly improved and enhanced the value of taxable property of said town; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the mayor and aldermen of the town of Lexington, a municipal corporation in the State of Tennessee, are hereby authorized and empowered to subscribe or purchase in their corporate capacity, for and in the name of said town of Lexington, and receive from said Paducah, Tennessee and Alabama Railroad Company, five thousand dollars of

May subscribe  
for capital  
stock.

its capital stock, and purchase the fifteen thousand dollars of the capital stock of said railroad company mentioned and spoken of in the preamble of this act, subscribed for and owned by individuals, most of whom are citizens and tax-payers of said corporate town of Lexington, Henderson County, Tennessee, by complying with the provisions of this act.

SEC. 2. *Be it further enacted*, That the board of mayor and aldermen of the town of Lexington be, and are hereby, vested with full power, and fully authorized and empowered, in their corporate capacity, to subscribe to or purchase from the Paducah, Tennessee and Alabama Railroad Company, five thousand dollars of its capital stock, in the name of the said town of Lexington, and in exchange or in payment thereof at par, shall make, execute, and deliver to said railroad company its coupon bonds for the like and same amount of stock of said railroad company so subscribed and purchased, payable not more than twenty years after date, and bearing interest at such rate as may be agreed upon, not exceeding 6 per cent. per annum, payable semi-annually, and to deliver the same to the said railroad company, and receive therefor, in the name of the town of Lexington, from said railroad company, five thousand dollars of its capital stock, dollar for dollar.

Exchange  
bonds for capital  
stock.

SEC. 3. *Be it further enacted*, That the board of mayor and aldermen of the town of Lexington, Tennessee, be, and they are hereby, vested with full power, and fully authorized and empowered, in their corporate capacity, to purchase and receive in the name of and for said corporation, to wit, town of Lexington, from the individuals who subscribed for or own the fifteen thousand dollars stock in said Paducah, Tennessee and Alabama Railroad Company the said fifteen thousand dollars stock in said railroad company, and they are hereby fully authorized and empowered, in their corporate capacity, in the name of said town of Lexington, to make, execute, issue, and sell its coupon bonds of said town to an amount not exceeding twenty thousand dollars, payable not more than twenty years after date, and bearing interest at the rate of six per cent. per annum, payable semi-annually, the proceeds of which shall be used for the purchase of the said fifteen thousand dollars stock of the Paducah, Tennessee and Alabama Railroad Company so authorized herein to be purchased; and all due interest coupons

Empowered to  
receive stock  
and issue bonds

on the bonds provided in this section shall be receivable for all taxes and dues owing said town of Lexington.

Election.

SEC. 4. *Be it further enacted*, That said stock herein mentioned and designated shall not be subscribed for or bought, nor the bonds herein provided for shall be issued, until an election is held in said town of Lexington to determine whether the legal voters of said town favor the subscription for and the purchasing of said stock, and the issuance of said bonds.

Special session of board; majority to order election.

SEC. 5. *Be it further enacted*, That the mayor of said town of Lexington shall convene, in special session, the board of mayor and aldermen of said town, for its consideration whether or not an election should be held in said town to determine whether or not said town of Lexington should, through and by its board of mayor and aldermen, issue the bonds of said town and subscribe for or purchase the stock in the Paducah, Tennessee and Alabama Railroad Company, and pay for the same according to the terms and provisions of this act; and if a majority of the board of mayor and aldermen of said town should be of opinion that such election should be held it shall so order; and if, for any reason, the board of mayor and aldermen are not convened in special session, as herein provided, then such election shall be ordered at any regular meeting of said board of mayor and aldermen, if a majority of the board are of opinion that it should be held; and said order of election so made by said board of mayor and aldermen, either at a special meeting, convened as herein provided, or at its regular meeting, shall be spread upon its records, and said board of mayor and aldermen shall have, and are hereby granted, full power to order such election according to the laws regulating elections in this state.

Regular meeting may order election.

Election to be advertised.

SEC. 6. *Be it further enacted*, That the election shall be advertised at least thirty days beforehand, by notice written or printed, posted up at the court-house door and two other places in said town, specifying the time it is to be held, and the amount of stock proposed to be subscribed for or purchased, and in what railroad company, and the amount of bonds authorized to be issued therefor.

Sheriff or deputy to hold election; certificate of officers.

SEC. 7. *Be it further enacted*, That the sheriff of Henderson County shall open and hold said election, and if, for any reason, the sheriff does not hold said elec-

tion, then such election may be held by any of his regular deputies of said county; and the officers so holding said election shall certify to the board of mayor and aldermen of said town the result of said election, showing the number of votes polled, how many voted "For the issuance of the bonds," how many votes "Against the issuance of the bonds."

SEC. 8. *Be it further enacted*, That at the election thus held, those voters who are in favor of the issuance of the bonds, and subscription for, or the purchase of, the said stock of said Paducah, Tennessee and Alabama Railroad Company, and the payment therefor, according to the terms and provisions of this act, shall have written or printed on their tickets, "For the issuance of the bonds," and those opposed, "Against the issuance of the bonds." Tickets.

SEC. 9. *Be it further enacted*, That it shall be the duty of the board of mayor and aldermen of said town to convene in special meeting, on the call of the mayor of said town, for the purpose of acting on the return of the officer holding said election within ten days after such election; and if it shall appear that three-fourths of the ballots cast at said election had written or printed thereon, "For the issuance of the bonds," then it shall have full power, and shall proceed to make and execute all necessary orders, and take such action, and do all things as may be required and necessary to make the issuance of the bonds, and the subscription for or the purchase of the stock in the Paducah, Tennessee and Alabama Railroad Company, and pay for the same, effective and valid, according to the terms thereof, and the provisions of this act; and if, for any cause, the board of mayor and aldermen are not convened in special session to take action on the return of the officer holding said election, the said board of mayor and aldermen shall, at any one of its regular meetings, act on said return of said officer; and if it appears that three-fourths of the votes polled at said election voted "For the issuance of the bonds," then it shall have full power, and shall proceed to make and execute all necessary orders, and take such action, and do all things as may be required and necessary to make the issuance of the bonds, and the subscription for, or the purchase of, the said stock in said Paducah, Tennessee and Alabama Railroad Company, and pay for the same, ac-

Special meeting  
to act on return  
of election.

On failure to  
hold special  
meeting, regu-  
lar shall act.

cording to the terms and provisions herein provided effective and valid according to this act.

Other election  
may be ordered.

SEC. 10. *Be it further enacted*, That if the said town of Lexington fails to vote for the issuance of said bonds, and the subscription to, or the purchase of, the said stock in said Paducah, Tennessee and Alabama Railroad Company, and the payment therefor in accordance with the terms and provisions of this act, at any election held for the purpose, said board of mayor and aldermen may, at any time after sixty days, order another election for that purpose.

Tax to be levied  
—limit.

SEC. 11. *Be it further enacted*, That the board of mayor and aldermen of said town of Lexington are hereby authorized and fully empowered, and it is made their duty, to levy from time to time such taxes upon the taxable property, privileges, and persons liable by law to taxation within its corporate limits, as will be sufficient and necessary to meet the maturing interest on said bonds, and provide for the payment of the principal; *Provided*, That no tax to pay said bonds and interest due thereon exceeding twenty-five per cent. of the principal amount of said bonds shall be levied in any one year.

Authentication  
of bonds; cou-  
pons.

SEC. 12. *Be it further enacted*, That the bonds hereinafore provided for shall be signed by the mayor and countersigned by the recorder of the town of Lexington, with the corporate seal of said town affixed thereto, and to each of said bonds there shall be attached coupons showing each semi-annual installment of interest on said bond, and when the same shall fall due, and also showing on their face the number and denomination of the bond to which they are attached. The interest coupons attached to each bond shall bear upon its face a "*fac-simile*" of the signatures of the mayor and recorder of said town, without the corporate seal. Said bonds shall be

Denominations.

issued in the same or different denominations, at the discretion of the mayor and board of aldermen of the town of Lexington; *Provided*, That no bond shall be of a less denomination than one hundred dollars, or of a greater denomination than five thousand dollars, and each bond and each coupon attached thereto shall be numbered *seriatim*, beginning with number one. The recorder of said town of Lexington shall keep a

Record of bonds

well-bound book, in which he shall register all bonds issued under this act, giving the number and amount of each bond, and to whom and for what purpose issued



SEC. 13. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed January 26, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES;  
*Speaker of the Senate.*

Approved February 2, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 164.

AN ACT to enlarge the corporate limits, and increase the corporate powers of the town of Kenton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the inhabitants of the town of Kenton, within the following boundaries, are hereby constituted a corporation and body-politic, by the name and style of "Mayor and Aldermen of Kenton." The boundaries of said town of Kenton shall be as follows: Beginning at a stake in the north-east corner of said corporation, and runs north 66 poles west 60 degrees to a stake in center of culvert north of depot, and in center of Mobile and Ohio Railroad; then south 208 poles west 73 degrees to a stake in the north fence of J. L. Bingham's orchard; thence south 140 poles to a stake in Benson Carroll's field; then east 242 poles to a stake south of C. G. Tilghman's residence; then north 35 degrees east, passing switch and stand at south end at 67 poles, and continuing at same bearing and in all 141 poles to an elm and beech pointers; then north 29 degrees west 138 poles to the beginning.

Incorporation  
and boundary.

SEC. 2. *Be it further enacted*, That the mayor and aldermen of Kenton shall have perpetual succession, shall sue and be sued, implead and be impleaded in all courts of law and equity, and in all actions whatsoever; may purchase, receive, and hold property, real and personal, within said town, and may purchase, receive, and hold property, both real and personal,

General corporate powers.

beyond the limits of the corporation, to be used for the burial of the dead, for the erection of water-works, work-house, or house of correction, and may sell, lease, or dispose of such property for the benefit of the town of Kenton, and to all other acts in and about the same as natural persons; they shall have and use a common seal, which may be changed at pleasure.

Officers.

SEC. 3. *Be it further enacted*, That the officers of the town of Kenton, to be chosen and elected by the qualified voters of said town, shall be a recorder, a marshal, a mayor, and six aldermen, said mayor and recorder, who, by virtue of his office, shall exercise and perform, in addition to his duties as recorder, the functions and duties of an alderman, and six aldermen, shall constitute the board of mayor and aldermen of the town of Kenton, each and all of whom shall be citizens and qualified voters of said town, and shall hold their offices for two years, and until their successors are elected and qualified, and said officers shall be elected on the last Thursday in August biennially.

Oath.

SEC. 4. *Be it further enacted*, That the mayor and recorder and aldermen, before entering upon their duties, shall each take an oath before some justice of the peace, or other person qualified by existing law to administer oaths, that they will honestly and faithfully discharge the duties of the offices, without partiality, favor, or affection.

Legislative power; vacancy—how filled.

SEC. 5. *Be it further enacted*, That the legislative power of said town of Kenton shall be exercised by the board of mayor and aldermen of Kenton, elected and qualified under the provisions of this act, over whose meetings the mayor shall serve as presiding officer, and cast the deciding vote when there is a tie; a majority of all the aldermen shall constitute a quorum for the transaction of business. In the event the mayor shall be temporarily absent, the board shall elect one of its number to preside over the deliberations of the body, in which event, one more than a quorum shall be present. In the event of the death of the mayor, or should his office become vacant by removal from said town, or resignation, or impeachment, or other cause, then the board shall proceed, at the first regular meeting thereafter, to elect one of their number as mayor, to fill his unexpired term, and the board shall then elect some other person eligible

to the place to fill the vacancy thus occasioned for the unexpired term, and the board of mayor and aldermen of Kenton shall have the power to fill any and all vacancies occurring in the board, and in the offices of recorder and marshal of said town on account of death, removal, resignation, impeachment, or other causes.

SEC. 6. *Be it further enacted*, That no person shall be eligible to the office of mayor, recorder, or alderman unless he be a resident of and an owner of taxable freehold in said town, and a citizen of Tennessee, who has resided in the town of Kenton and within said corporate limits at least two years immediately preceding his election, and should any cease, the office becomes vacant. Eligibility to office.

SEC. 7. *Be it further enacted*, That the board of mayor and aldermen of Kenton shall judge of the qualifications, elections, and returns of members of the board and other officers, and shall prescribe rules for the determination of contested elections, from which any party aggrieved shall have the right of appeal to their circuit court, as in all other cases provided by law; and shall prescribe its own rules of proceeding, the punishment of its own members for malfeasance, misfeasance, non-feasance, drunkenness, or any other misconduct in office, and enforce the same. Two-thirds of the remaining members of the board present and voting to concur, may expel a member for such malfeasance, misfeasance, non-feasance, drunkenness, or other misconduct, which vacancy may be provided for as in other cases. A less number than a majority can adjourn, from day to day, and may, by ordinance, compel the attendance of absent members by fines and penalties. For all investigations of charges against its members or other officers of said corporation, the mayor shall, at the discretion of the board, issue subpoenas and compulsory process to compel the attendance of witnesses and the production of books and papers. The board of mayor and aldermen shall hold its meetings at such times as it may determine, not more than one regular stated meeting per month. Duties and powers of board.

SEC. 8. *Be it further enacted*, That the mayor and aldermen of Kenton shall, at their first meeting after election, elect a treasurer, who shall be a member of the board of aldermen, and such other officers, servants, and agents as may be deemed necessary and may provide by ordinance, and shall have power to Treasurer and other officers.

prescribe the duties of the same, all of which officers, agents, and servants shall be bona fide citizens and voters of said corporation. The board of mayor and aldermen of Kenton shall also fix the compensation of such officers before their appointment and election, which compensation shall not be increased or diminished during their term of office.

Special powers.

SEC. 9. *Be it further enacted,* That the mayor and aldermen of Kenton shall have power, by ordinance, within the corporate limits of the town of Kenton:

1. To levy and collect taxes upon all property taxable by law for state purposes, being in bounds of said corporation, as it is now or may hereafter extend, whether improved or unimproved.

2. To levy and collect taxes upon all privileges and polls taxable by law of the state, which shall in no-wise exceed the state.

3. To appropriate money and provide for the payment of the debts and expenses of the town in the manner hereinafter provided.

4. To make regulations to prevent the introduction and spread of contagious diseases into the town, and to make quarantine laws for this purpose and enforce the same.

5. To establish hospitals, and regulations for the government of the same.

6. To make regulations to secure the health of the inhabitants, and to prevent and remove nuisances.

7. To provide the town of Kenton with water-works within or beyond the boundaries of the corporate town of Kenton.

8. To open, alter, abolish, widen, extend, establish, and grade or otherwise improve, clean, or keep in repair streets, alleys, and sidewalks, or to have the same done, as hereinafter provided.

9. To establish and keep in repair bridges, culverts, sewers, and gutters.

10. To provide for the erection of all buildings necessary for the use of the town of Kenton.

11. To license, regulate, and tax auctioneers, grocers, retailers, brokers, merchants, coffee-houses, confectioners, retailers of liquor, hawkers, peddlers, livery, sale and feed stables, keepers of Jenny Lind and billiard tables and ten-pin alleys, and all other privileges taxable by the state.

12. To license, tax, and regulate and suppress theatrical and other exhibitions, shows, and amusements.

13. To regulate or prohibit and suppress disorderly or bawdy houses, or houses of ill fame.

14. To provide for the prevention or extinguishment of fires; to organize, establish, and regulate fire companies; to regulate, restrain, or prohibit the erection of wooden or brick buildings in the business portion of said town.

15. To regulate the police of the city; to impose fines, forfeitures, and penalties for breach of any ordinance, and to provide for their recovery and appropriation.

16. To provide for the arrest and confinement until trial of all riotous and disorderly persons within the assemblies in any street, house, or place in the said town by day or night; to authorize the detention of all suspicious persons found violating any ordinances of the town.

17. To prevent and punish by pecuniary penalties all breaches of the peace, noise, disturbance, or disorderly persons within the assemblies in any street, house, or place in said town by day or night.

18. To regulate and provide for the construction and repair of sidewalks and foot-pavements, and, if the owner or owners of any lots shall fail to comply with the provisions of any ordinance requiring such owner or owners to build or repair after due notice, the town may build the same, if the board so orders; and the town of Kenton shall pay the same, and the amount so paid shall be a lien on said lot or lots of land and the improvements thereon, which may be enforced by any court of competent jurisdiction, under the proper proceedings brought in the name of mayor and aldermen of Kenton.

19. To pass all ordinances not contrary to the constitution and laws of the state, that may be necessary to carry out the full intent and meaning of this act, and to accomplish the object of this incorporation.

SEC. 10. *Be it further enacted*, That all ordinances and by-laws heretofore enacted and styled "Laws of Kenton, Tennessee," and passed and approved August 21, 1888, and heretofore enacted by mayor and aldermen of Kenton, shall be and remain in full force until altered, modified, or repealed under this act. Old laws in force until repealed.

SEC. 11. *Be it further enacted*, That it shall be the duty of the mayor to carefully examine all bills passed before affixing his signature, and should any such not meet his approval, he shall, at the next regular meet- Duties of mayor as to passage of laws.

Other duties.

ing of the board, return the same with his objections in writing, and no law so vetoed shall go into effect unless the same be again passed by a majority of the entire board. No bill shall become a law unless the same shall have passed three several readings by a majority vote, and until the same shall have been signed by the mayor or unless he fails to veto the same by the next regular meeting. The mayor may make temporary appointments to fill temporary vacancies, subject to the approval of the board at its next regular meeting, and he shall likewise have the power to make special deputations to increase temporarily the police force; and he shall call special meetings of the board when, in his judgment, the good of the town requires it; and he shall state to the board, in writing, the purpose of such meeting, which, together with the action of the board, shall be spread on the minutes in the regular minute-book. He shall take care that all the ordinances are duly respected and observed, and perform such other duties as may, by ordinance of the board, be required of him. He shall have power to bid in property for the town at all tax and judicial sales when the town is a party.

Trial of offenders.

SEC. 12. *Be it further enacted*, That the mayor shall try all offenses created by this act or any lawful ordinances of said town, and impose fines and penalties and enforce the collection and payment of the same; and he shall likewise have the power to commit to the town prison or calaboose until trial of all disorderly or riotous persons within the town, and commit the same to the town prison or work-house until such fines and costs are paid or worked out; and, in case the mayor is incompetent to try such offenders, or be sick or absent, then the recorder shall try such cases and perform all the duties of the mayor under this section, and they shall be entitled to the same fees and costs as justices of the peace are entitled to for like services, which shall be taxed up with the bill of costs and fines.

Elections—who may vote.

SEC. 13. *Be it further enacted*, That the first general election for mayor, recorder, marshal, and aldermen under this act shall be held on the last Thursday in August, 1893, and the new administration shall be sworn in on Friday following the election, or as soon thereafter as practicable; and each general election shall be held biennially, to wit: On the last Thursday in August thereafter. The voters shall vote by

ballot at such general election, and any person entitled to vote for members of the general assembly under the laws of Tennessee, and who shall have been an actual *bona fide* resident of the town for six months next preceding the election, shall be entitled to vote, and have his vote counted in said election. Non-residents having an absolute and entire title to and a *bona fide* owner of real estate within the corporate limits of the town of Kenton of the assessed value of at least fifty dollars, and who shall be otherwise a qualified voter for members of the general assembly of the State of Tennessee, shall be entitled to vote in all town elections.

SEC. 14. *Be it further enacted*, That the mayor, recorder, marshal and aldermen may receive such salaries or compensation as the board of mayor and aldermen from time to time shall determine, the same not to be increased or diminished during their term of office. <sup>Salaries.</sup>

SEC. 15. *Be it further enacted*, That when any tax shall be levied or imposed by said corporation upon any real estate lying within said town of Kenton, and the owner or owners thereof shall not pay the same, and the marshal of said town make return of that fact, and under oath that the owner or owners have no personal property within the said town upon which to distrain for the said tax, it shall be the duty of the mayor, by and with the advice and consent of the board, to take such steps for the collection of said taxes as are or may be provided by the laws of the state for the collection of state taxes. <sup>Collection of taxes.</sup>

SEC. 16. *Be it further enacted*, That this act is declared to be a public law, and may be read in evidence in all courts of law and equity without special proof of same.

SEC. 17. *Be it further enacted*, That this act take effect on and after its passage, the public welfare requiring it.

Passed April 7, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 165.

AN ACT to amend an act, entitled "An act to establish a chancery and law court at Bristol, in the county of Sullivan," passed March 18, 1879, and to amend an act giving concurrent jurisdiction with the chancery and circuit courts of Sullivan County to the chancery and law courts of Bristol, Tennessee, of all civil actions arising between persons residing in the third and sixteenth civil districts of Sullivan County, passed March 30, 1891, and to define and harmonize said acts and enlarge the jurisdiction of said courts.

Chancery division established—when court held.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1 of said act, entitled "An act to establish a chancery and law court at Bristol, in the county of Sullivan, be, and the same is, amended so as to read: "*Be it enacted*, That the first, second, seventeenth, and nineteenth civil districts of Sullivan County shall constitute a chancery division, with all the powers appertaining to a court of chancery in the State of Tennessee, and the court shall be held at the city of Bristol by the chancellor of the first chancery division of this state on the second Mondays of February and August of each and every year. And Section 6 of said act is amended so that the citizens of the first, second, third, sixteenth, seventeenth, and nineteenth civil districts of said county may bring their suits against citizens residing in said districts in the chancery court at Bristol, where the chancery court has jurisdiction in such cases, but no citizens residing out of said districts shall be sued in said court unless the subject-matter of said suit is situated in same, and counterpart writs may issue against defendants residing out of said districts where the court has jurisdiction of the suit.

Jurisdiction.

SEC. 2. *Be it further enacted*, That the chancery court of Sullivan County shall have concurrent jurisdiction with the chancery court of Bristol of all causes of action of which chancery courts have jurisdiction arising in the third and sixteenth civil districts of said county; and citizens residing or doing business in said third and sixteenth civil districts may sue other citizens residing or doing business in said civil districts in the chancery court at Blountville, and said court shall have full jurisdiction over same as the chancery court at Bristol.



SEC. 3. *Be it further enacted*, That Section 10 of said act, entitled "An act to establish a chancery and law court at Bristol, in the county of Sullivan," be, and the same is amended so as to read: "*Be it further enacted*, That there shall be at Bristol, in the county of Sullivan, a law court for the first, second, third, sixteenth, seventeenth, and nineteenth civil districts of said county, to be styled the "Law Court of Bristol," and to be held by the judge of the first judicial circuit, with common law jurisdiction, original and appellate, over all causes of a civil nature arising within the first, second, third, sixteenth, seventeenth, and nineteenth civil districts, as other courts of the state, and all civil causes heard and determined before any justice of the peace of said districts, when appealed or brought up by *certiorari*, where such procedure is allowed by law, shall be to said law court; but the circuit court of Sullivan County shall have concurrent jurisdiction over all causes of a civil nature arising in the third and sixteenth civil districts."

Law court of  
Bristol—juris-  
diction.

SEC. 4. *Be it further enacted*, That said law court shall be held on the third Mondays of March and November of each and every year.

Terms of court.

SEC. 5. *Be it further enacted*, That the justice of the peace of said civil districts, shall, on the first Mondays of January, July, and October of each year, designate twelve good citizens, freeholders and householders, residing in the first, second, third, sixteenth, seventeenth, and nineteenth civil districts, to serve as jurors to said law court for the terms immediately ensuing their designation; and the justice shall hand a list containing names of said jurors to the clerk of said court, who shall immediately issue a writ of *venire facias* commanding the sheriff to summon said jurors to attend as jurors. If the justice fail to designate said jurors, the judge shall, at the beginning of the term of the court, appoint the jurors for the said term out of any of the citizens of the first, second, third, sixteenth, seventeenth, and nineteenth civil districts, who may be otherwise qualified to act as such, and they shall receive the same pay as other jurors of the state who serve at the circuit courts.

Jurors.

SEC. 6. *Be it further enacted*, That the said citizens of Sullivan County residing out of the seventeenth civil district shall not be taxed for erecting or providing suitable buildings for court-house, offices, and jail for said courts. All fines and forfeitures arising

Exemption  
from taxation;  
fines and forfeit-  
ures.

from or growing out of said law court shall be disposed of as fines and forfeitures which are imposed by the Circuit Court of Sullivan County.

SEC. 7. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed; and this act shall take effect from and after its passage, the public welfare requiring it.

Passed April 5, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 166.

AN ACT to amend Section 6, Chapter 171, of the Acts of 1889, making it unlawful, under certain conditions, to kill, net, trap, or capture quail or partridges, passed March 8, 1889, and approved April 2, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 6 of Chapter 171 of the Acts of 1889, be, and the same is hereby, amended by striking out the word "Blount," so as to remove the county of Blount from the exception of the other provisions of said act, and that the county of Blount be included in sections 2, 3, 4, and 5 of said act, with all the prohibitions, limitations, and penalties of the same; and that hereafter it shall be unlawful for any person or persons to kill, net, trap, or capture quail or partridges in said county of Blount, except as provided in section 2 of said act, and any one violating this act shall be punished as provided in Section 3 of said Act of 1889.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are

hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 167.

AN ACT to repeal an act passed by the Forty-fourth General Assembly of the State of Tennessee, entitled "An act to create and regulate the office of county judge in the county of Jefferson," passed April 4, 1885, being Chapter 105 of said acts.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an act, passed on the fourth of April, 1885, creating and regulating the office of county judge of Jefferson County, Tennessee, be, and the same is hereby, repealed, and said office abolished.

SEC. 2. *Be it further enacted,* That the office of chairman of the county court of said Jefferson County is hereby created, to stand, in all respects, in the same plight and condition as said chairman's office was, and clothed with all the duties, powers, etc., exercised heretofore by said chairman before the creation of said office of county judge for said county, and as now regulated by the general laws applicable to that office.

SEC. 3. *Be it further enacted,* That this act take effect from and after the first Monday of October, 1894, and that the present county judge of said county continue to hold and exercise the duties of said office until said first Monday in October, 1894, upon which date the justices of said county shall proceed to elect

the chairman of said county court, as hereinbefore provided for.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 8, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 168.

AN ACT to authorize West Knoxville to use and expend five thousand dollars out of the proceeds of sale of bonds to be made under the provisions of an act, entitled "An act to authorize West Knoxville to build sewers and bridges, condemn property, and issue bonds for these purposes," passed February 18, 1891, for street and school building purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That West Knoxville is authorized and empowered to use and expend five thousand dollars out of the proceeds of sale of bonds to be made under the provisions of an act, entitled "An act to authorize west Knoxville to build sewers and bridges, condemn property, and issue bonds for these purposes," passed February 18, 1891, for street and school building purposes.

SEC. 2. *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

Passed April 4, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 169.

AN ACT to change the line of the town of McKenzie, Carroll County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporate line of the town of McKenzie, Carroll County, Tennessee, be, and is hereby, changed as follows, to wit: Beginning at a stake on the present corporate line at a point due east of W. W. Onley's south-west corner and running due west sixty-one poles to said Onley's south-west corner to a stake; thence south forty degrees west one hundred and thirty-two poles to a stake at a point where said line intersects the original corporate line of said town; thence due west with said original corporate line one hundred and ninety poles to a post oak stump at the original south-west corner of said corporation; thence due north seventy-one and three-elevenths poles to a stake in E. E. Pate's field; thence due west thirty-one poles to a stake in E. E. Pate's field; then due north one hundred and thirty rods to a stake; then due west twenty-four and two-elevenths rods to the present corporate line, so as to exclude certain lands of E. E. Pate, John D. Pate, Garland Snead, Will Snead, and J. W. Morrison.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 170.

AN ACT to authorize the trustees of Rhea Academy to sell the real estate belonging to said academy, situated in the town of Greeneville, Greene County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the trustees of Rhea Academy, a majority of them consenting thereto, are authorized and empowered to sell the real estate belonging to said academy, situated in the town of Greeneville, Greene County, Tennessee.

SEC. 2. *Be it further enacted*, That a deed of a majority of said trustees shall be sufficient to pass the title to said property to the purchaser thereof.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 171.

AN ACT to authorize the citizens of the town of Covington, in Tipton County, who are incorporated under the name of mayor and aldermen of Covington, to establish and maintain a system of public schools, and for this purpose to amend Chapter 60 of the acts of the general assembly of Tennessee for the year 1887, entitled "An act to amend the charter of the town of Covington, and to amend Chapter 57 of the acts of 1869 and 1870, passed February 17, 1870, and to amend Section 1 of said Chapter 57 of the Acts of 1869 and 1870."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 60 of the acts of

the general assembly for the year 1887, passed March 1, 1887, and Section 1 of Chapter 57 of the acts of the general assembly for the years 1869 and 1870, and passed February 17, 1870, be amended so as to authorize the mayor and aldermen of Covington to establish and maintain a system of public schools for all children of scholastic age in said town.

May establish public schools.

SEC. 2. *Be it further enacted*, That the mayor and aldermen of Covington, in an election to be held for that purpose, shall submit to the qualified voters of said town for determination, the question whether there shall be established and maintained at the public cost, public schools, to continue for at least nine months in each year. If two-thirds of the legal votes cast and counted in such election shall be for such public schools, then it will be deemed and held to be lawfully determined in favor of the establishment and maintenance of such public schools.

Election—two-thirds vote required.

SEC. 3. *Be it further enacted*, That if, in said election, less than two-thirds of the legal votes cast and counted appear to be such public schools, it shall be held to be a determination against the establishment and maintenance of such schools, and no election shall be held for such purpose again until the lapse of one year, when the mayor and aldermen of said town shall resubmit the question, to again be determined by a like election.

Defeat of question—resubmission.

SEC. 4. *Be it further enacted*, That said election shall be held in the same manner as the regular biennial elections are now provided by law to be held for mayor and aldermen of said town, and the duties of the officers appointed or required by law to hold such election, and the qualification of voters therein, shall be the same as now prescribed by law in said biennial election; and such officers and voters shall be liable to the same pains and penalties as are now prescribed by law; but the voters favoring such public schools in said election shall have plainly written or printed on their ballots the words, "For Public Schools," and those opposing shall have on their ballots, plainly written or printed, the words "Against Public Schools."

Provisions as to election.

SEC. 5. *Be it further enacted*, That said election may be held at the same time as the biennial election in the year 1893, but twenty days' notice shall be given in some newspaper published in the town of Covington, Tenn.; but if not held at said time, then the re-

Time of holding election.

quired notice shall be given, and said election shall be held not later than forty days after this act takes effect.

School system  
and tax.

SEC. 6. *Be it further enacted*, That the mayor and aldermen of Covington shall have power, and are authorized, in the event said election results in favor of the establishment and maintenance of public schools, to provide by ordinance for a system of such public schools, and to elect a board of education, to superintend, manage, and regulate the same; to levy and collect taxes on all the property, polls, and privileges and merchants taxable by the laws of the state, in order to organize, keep up, and maintain such schools. This shall be a special tax, and collected as the other revenues of said town are collected, but shall be kept separate and apart from the other taxes and revenues, and shall be denominated "The City School Tax;" the levy for this purpose shall not in any one year exceed the rate of eighty cents on each one hundred dollars' worth of taxable property, and one dollar on polls; and the tax on each merchant and privilege shall bear the same ratio to that levied by the state as the rate of taxation levied by said mayor and aldermen of Covington on property bears to that levied by the state on property. Said mayor and aldermen of Covington are authorized and empowered, upon the written recommendation of the board of education, signed by a majority of them, and filed with said mayor and aldermen of Covington, to purchase and hold real estate, and erect thereon public school buildings, and improve the same or to rent, lease, and improve buildings already erected.

Board of educa-  
tion.

SEC. 7. *Be it further enacted*, That if said election results in favor of public schools, as soon thereafter as practicable, said school-tax shall be levied, and at the same meeting of the board of mayor and aldermen there shall be elected by them a board of education of Covington, to be composed of five *bona fide* residents of said town of Covington, who are not members of the board of mayor and aldermen of Covington, and the members of said board of education shall hold their office for two years, or until their successors are elected and qualified, but ever afterwards, commencing March, 1895, said board of education of Covington shall be elected by the qualified voters of the town of Covington at the regular biennial election for mayor and aldermen.



SEC. 8. *Be it further enacted*, That it shall be the Duties of board. duty of said board of education of Covington to organize by electing one of their members president and one other of their members secretary, all of whom shall serve without salary, except said secretary, whose compensation shall be fixed by the mayor and aldermen of Covington. It shall be the duty of said board of education of Covington to keep in well-bound books a record of all their official acts, which books shall be open to the inspection of the voters and tax-payers of said town, at all reasonable hours. Said board of education is authorized and empowered to select the location of the public schools of said town, select sites for the public school buildings, to prepare or have prepared all plans of buildings, modifications, repairs, and improvements, and the furnishing of said school buildings, and to designate buildings to be rented, leased, and improved, and the manner thereof, all of which they shall recommend to the mayor and aldermen of Covington, in writing, setting forth location of site, plans, and specifications of buildings, material, costs, etc. Said board of education shall have the supervision and oversight of said public schools; shall employ such superintendent and teachers as may be necessary; make contracts with them; and said board of education may make with the school directors, or proper school authorities, contracts by consolidation with the schools kept up by state and county taxes, and to assist in keeping same up after such consolidation; do the same thing with the trustees or authorities of any private schools, or persons controlling and managing any private schools property, if in their judgment free tuition may be thus better assured to the scholastic population of the town entitled under the laws of the state to the benefit of free schools; and upon their recommendation, in writing, the mayor and aldermen of Covington are authorized to appropriate for said purpose any part or all the city school-tax, but payment to be made only upon the warrant of said board of education. Said board of education shall provide for the separate accommodation of white and colored pupils; and said board is authorized and empowered to receive pupils residing without the corporate limits of the town of Covington, but residents within Tipton County, to attend the public schools of the town, by contract, upon the payment by, or for them of such

compensation as may be determined by the board of education, and the tuition fees or revenues so received shall go into the city school-tax, and become part thereof; and when any person living outside of the corporate limits of said town, and shall pay a school-tax on the same to said corporation, the board of education shall allow credit on the tuition account of such person to the extent of the school-tax paid by such person to the corporation the same year that such person shall send child, children, or ward to said school, but no credit shall be allowed to such person on any tuition account for school-taxes paid to said corporation any other year than that in which such person shall send his child, children, or wards to said school, and no credit or benefit shall be allowed any such person for taxes paid in excess of such person's tuition account to said board of education.

Payment of  
school money.

SEC. 9. *Be it further enacted*, That the expenditure of city school-tax shall be paid upon the warrant of the board of education, signed by the president and secretary of said board, but the president and secretary of said board shall not sign any warrant except upon authority so to do, as to each warrant, by order passed by said board of education, entered upon its minutes.

Recorder—bond  
for school money;  
payment of  
warrants.

SEC. 10. *Be it further enacted*, That the recorder of the town of Covington shall have the custody of the city school-tax and public school-revenues of every kind belonging to said town of Covington, whether derived from taxes, loans, or otherwise, and he shall be required by said mayor and aldermen of Covington, at their first meeting after said election that may result in favor of free schools, to execute a bond in double the amount of the school-revenue, with proper conditions for the safe-keeping and disbursing of the same; and said recorder shall pay the warrants of said board of education only when the amount therefor has been appropriated by said mayor and aldermen of Covington by order entered upon their minutes.

Acts repealed.

SEC. 11. *Be it further enacted*, That so much of Chapter 60 of the Acts of 1887, and passed March 1, 1887, and of Chapter 57, Acts of 1869-'70, and passed February 17, 1870, as is in conflict with this act, and all other laws in conflict with this act, be, and the same are hereby, repealed.

SEC. 12. *Be it further enacted*, That this act take ef-

fect from and after its passage, the public welfare requiring it.

Passed March 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 172.

AN ACT to amend Sections 926, 927, 928 of the Code of Tennessee (the same being Sections 1135, 1136, 1137 of Milliken & Vertrees' compilation of the laws of Tennessee), and to fix the date for the meeting of electors of president and vice-president, so as to conform the same to the Act of Congress in that regard.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the day for the meeting of electors of president and vice-president of the United States, be, and the same is hereby, fixed for the second Monday in January after their election, and that Sections 926, 927, 928 of the Code of Tennessee (the same being Sections 1135, 1136, 1137 of Milliken & Vertrees' compilation of the laws of Tennessee), be, and the same are hereby, amended so as to conform to this change of date for the meeting of the electoral college, this change being made so as to conform the statute in that regard to the act of Congress.

SEC. 2. *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

Passed January 9, 1893.

JAS. D. TILLMAN,  
*Temporary Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 9, 1893.

JOHN P. BUCHANAN,  
*Governor.*

## CHAPTER 173.

AN ACT to change the county line between Obion and Lake Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the present boundary line between the counties of Lake and Obion be so changed as to read as follows: Beginning at a point in the present boundary line of said counties, on the west bank of Broad Slough, at the commencement of what is known as the Scatters, or Main Slough, draining Reelfoot Lake, at a large double leaning willow tree, marked with maple pointers twenty feet south-west of same, and an ash and three small cypress trees fifteen feet south; thence north 28 degrees east to what is known as "Willow Bar Tow-head;" thence north 31 degrees east to the head of Rag Point (an island of green cypress trees) in the lake; and thence due north to the southern point of Horse Island, intersecting again the Lake and Obion County line.

SEC. 2. *Be it further enacted*, That all of said portion of Reelfoot Lake, and all territory therein included west of the above described line, and cut off from Obion County, by said survey, be added to Lake County; and that this act shall take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 174.

AN ACT to provide for a collateral inheritance and succession tax or duty upon certain estates, and for the collection of the same, and to this end, to confer further jurisdiction upon the county courts; and to provide penalties for the violation of certain parts of this act; and also to repeal Section 6 of Chapter 25 of the Acts of the extraordinary session of 1891, entitled "An act to amend Chapter 130 of the Acts of the General Assembly of 1889, entitled 'An act to provide revenue for the State of Tennessee and the counties thereof.'"

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all estates—real, personal, and mixed—of every kind whatsoever, situated within this state, whether the person or persons dying seized thereof be domiciled within or out of this state, passing from any person who may die seized or possessed of such estates, either by will or under the intestate laws of this state, or any part of such estate or estates, or interest therein, transferred by deed, grant, bargain, gift, or sale, made in contemplation of death, or intended to take effect in possession or enjoyment after the death of the grantor or bargainor to any person or persons or to bodies corporate or politic, in trust or otherwise, other than to or for the use of the father, mother, husband, wife, children, and lineal descendants born in lawful wedlock of the person dying seized and possessed thereof, shall be, and they are hereby, made subject to a duty or tax of five dollars on every hundred dollars of the clear value of such estate or estates so passing, and at and after the same rate for any less amount, to be paid to the use of the state; and all owners of such estates and all executors and administrators and their sureties shall only be discharged from liability for the amount of such taxes or duties the settlement of which they may be charged with, by having paid the same over for the use of the state as hereinafter directed; *Provided*, That no estate which may be valued at a less sum than two hundred and fifty dollars shall be subject to this duty or tax; *And provided further*, That the term children shall not be construed to apply to adopted children.

Tax laid on certain estates; exceptions; "children."

SEC. 2. *Be it further enacted*, That where a testator names or appoints one or more executors, and makes a bequest or devise of property to them in lieu of

Fair compensation to executor, etc; excess subject to tax.

their commissions or allowance, or appoints them his residuary legatees, and said bequests, devises, or residuary legacies exceed what would be a fair compensation for their services, such excess shall be subject to the payment of the collateral inheritance tax or duty, the rate of compensation to be fixed by the proper officers or courts having jurisdiction in the case.

Tax payable  
when possession  
of estate had.

SEC. 3. *Be it further enacted*, That in all cases where there shall be a devise, bequest, or descent of an estate, real or personal, to collateral relatives or strangers, liable to the collateral inheritance and succession tax, to take effect in possession or to come into actual enjoyment after the expiration of one or more life estates, or a period of years, the tax on such estate shall not be payable, nor interest begin to run thereon, until the person or persons liable for the same shall come into actual possession of such estate by the termination of the estates for life or years; and the tax shall be assessed upon the value of the estate at the time the right of possession accrues to the owner as aforesaid; *Provided*, That the owner shall have the right to pay the tax at any time prior to his coming into possession; and in such cases the tax shall be assessed on the value of the estate at the time of the payment of the tax, after deducting the value of the life estate or estates for years; *And provided further*, That the tax on all real estate shall be and remain a lien on the real estate on which the same is chargeable until paid. And the owner of any personal estate subject to the tax provided by this act shall make a full report and return of the same to the clerk of the county court of the proper county within one year from the death of the decedent, and within that time enter into security for the payment of the tax to the satisfaction of such clerk; and in case of failure so to do, the tax shall be immediately payable and collectible.

Lien on real  
estate; security  
for tax on per-  
sonal estate.

Discount;  
Interest.

SEC. 4. *Be it further enacted*, That if the collateral inheritance tax shall be paid within three months after the death of the decedent, a discount of five per centum on the amount of the tax shall be made and allowed; and, if said tax is not paid at the end of one year from the death of the decedent, at which time it shall be due, interest shall then be charged at the rate of six per centum per annum on such tax.

SEC. 5. *Be it further enacted*, That the executor or

administrator or other trustee paying any legacy or share in the distribution of any estate subject to the collateral inheritance tax, as provided by this act, shall deduct therefrom at the rate of five dollars in every hundred dollars upon the whole legacy or sum paid; or, if not money, he shall demand payment of a sum to be computed at the same rate upon the appraised value thereof, for the use of the state; and no executor or administrator shall be compelled to pay or deliver any specific legacy or article to be distributed, subject to tax, except on the payment into his hands of a sum computed on its value, as aforesaid; and, in case of neglect or refusal on the part of said legatee or distributee to pay the same, such specific legacy or article, or so much thereof as shall be necessary, shall be sold by such executor or administrator at public sale for cash, after notice to such legatee or distributee, and after ten days' advertisement, as in case of ordinary administrator's sales; and the balance that may be left in the hands of the executor or administrator, after reserving the tax, shall be distributed to the legatee or distributee as is or may be directed by law; and every sum of money retained by any executor or administrator, or paid into his hands on account of any legacy or distributive share, for the use of the state, shall be paid by him without delay to the county court clerk of the county in which his accounts are being administered.

Duties of executor or administrator as to tax.

SEC. 6. *Be it further enacted*, That, if the legacy subject to the collateral inheritance tax be given to any person for life or for a term of years, or for any other limited period, upon a condition or contingency, if the same be money, the tax thereon shall be retained upon the whole amount; but, if not money, application shall be made to the county court having jurisdiction of the accounts of the executors or administrators to make apportionment, if the case requires it, of the sum to be paid by such legatees, and for such further order relative thereto as equity shall require. Such application shall be made by the executor of such estate after at least five days' notice to the parties concerned.

Conditional estates.

SEC. 7. *Be it further enacted*, That wherever a legacy subject to the tax or duty hereby provided, shall be charged upon or payable out of real estate, the heir or devisee, before paying the same, shall deduct therefrom at the rate aforesaid, and pay the amount

Legacy payable out of real estate

so deducted to the executor, and the same shall remain a charge and lien upon such real estate until paid, and the payment thereof shall be enforced by decree of the county court in the same manner that liens on real estate are now enforced in the chancery courts of this state, and the clerk of the county court officially shall be the complainant in such suit.

Information as  
to tax—who to  
give.

SEC. 8. *Be it further enacted*, That whenever any real estate of which any decedent may die seized shall be subject to the collateral inheritance tax, it shall be the duty of executors and administrators to give information thereof to the clerk of the county court where administration has been granted within six months after they undertake the execution of their respective duties, or, if the fact be not known to them within that period, within one month after the same shall have come to their knowledge; and it shall be the duty of the owners of such estate, immediately upon the vesting of the estate, to give information thereof to such clerk of the court having jurisdiction of the granting of administration.

Payment of tax  
and receipt for  
same.

SEC. 9. *Be it further enacted*, That it shall be the duty of any executor or administrator receiving or collecting collateral inheritance tax, to pay the same to the clerk of the county court granting the administration, and where his accounts should be administered, and to take duplicate receipts from such clerk for the same, one of which shall be forwarded forthwith to the comptroller of the treasury, whose duty it shall be to charge the clerk receiving the money, with the amount, and countersign the receipt and return it to the executor or administrator, whereupon it shall be a proper voucher in the settlement of the estate; but in no event shall an executor or administrator be entitled to a credit in the settlement of his accounts with the county court clerk, or in the chancery court, if his accounts be there settled, unless the receipt is so countersigned by the comptroller.

Transfer of  
stocks, etc., lia-  
ble for tax.

SEC. 10. *Be it further enacted*, That whenever any foreign executor or administrator or trustee, shall assign or transfer any stocks or loans in this state standing in the name of the decedent or in trust for a decedent which shall be liable for the collateral inheritance tax, such tax shall be paid, on the transfer thereof, to the clerk of the county court where such transfer is made, otherwise the corporation or person



permitting such transfer shall become liable to pay such tax.

SEC. 11. *Be it further enacted*, That whenever debts shall be proven against the estate of a decedent after distribution of shares or legacies from which the collateral inheritance tax has been deducted, in compliance with this act, and the legatee or distributee is required to refund any portion of a legacy or share, a corresponding portion of said tax shall be repaid to him by the executor or administrator if the said tax has not been paid to the clerk, and if it has been so paid to the clerk, then it shall be repaid out of the state treasury upon the comptroller's warrant, to be drawn by him in favor of the person entitled thereto, upon the county clerk certifying, under his seal of office, that the same is justly due on account of the provisions of this section of this act.

SEC. 12. *Be it further enacted*, That it shall be the duty of the clerk of the county court in which letters testamentary or of administration are granted to, appoint an appraiser as often as and whenever occasion may require, to fix the valuation of estates which are or shall be subject to collateral inheritance tax; and it shall be the duty of such appraiser to make a fair and conscionable appraisement of such estates; and it shall further be the duty of such appraiser to assess and fix the cash value of all annuities and life estate growing out of said estates, upon which annuities and life estates, the collateral inheritance tax shall be immediately payable, out of the estate, at the rate of such valuation, but shall bear no interest till the lapse of twelve months from the death of the decedent; and in fixing the value of such annuities and life estate the computation shall be made by the Carlyle Life Tables, whenever the use of life tables is necessary or applicable. Said appraisements shall be reduced to writing, in the nature of a report, and shall be by the appraiser filed with the clerk appointing him; *Provided*, That any interested person not satisfied with said appraisement shall have the right, at any time within thirty days after such appraisement is filed with the clerk, to file exceptions thereto, in writing, on giving security to pay all costs, together with whatever tax shall be fixed by the county court, and thereupon to have the county court to hear said exceptions; and, upon such exceptions being filed, the county court shall have jurisdiction to determine all

Repayment of  
tax—when.

Appraisalment  
—report of; ap-  
peal.

questions of valuation and of the liability of the appraised estate for such tax, subject to the right of appeal to the circuit court (or court of like jurisdiction), as in other cases. If an appeal should be prosecuted to the circuit court, such cause shall there be heard *de novo*.

Misdemeanor—  
when appraiser  
guilty of.

SEC. 13. *Be it further enacted*, That it shall be a misdemeanor in any appraiser appointed by the county court clerk to make any appraisement in behalf of the state, to take any fee or reward from any executor, administrator, legatee, next of kin, or heir of any decedent; and for any such offense the clerk shall dismiss him from such service, and, upon conviction, he shall be fined not exceeding five hundred dollars and imprisoned in the county jail not exceeding one year, one or both; and the court shall have the power to assess the imprisonment if the jury does not do so, as well as a fine, within the limit of the power of the court.

Record by county  
clerk.

SEC. 14. *Be it further enacted*, That it shall be the duty of the county court clerks to enter in a book to be provided at the expense of the state, to be kept for that purpose and which shall be a public record, the returns made by all appraisers under this act, opening an account in favor of the state against the decedent's estate, and the county court clerk may give certificate of payment of such tax from said record; and it shall be the duty of said clerk to transmit to the comptroller, on the first day of each month, a statement of all reports or returns made by appraisers during the preceding month, which statement shall be entered by the comptroller in a book to be kept by him for that purpose; and whenever any such tax on real estate shall have remained due and unpaid for one year, it shall be the duty of the county clerk, in his official name as clerk, to apply to the county court, by bill or petition, to enforce the payment of the same, whereupon, after process is duly served or notice duly given to the owner of the real estate charged with the tax and to such other persons as may be interested, after the manner of the practice of the chancery courts, the county court shall proceed, according to equity, to make such decrees and orders for the enforcement of the lien and the payment of said tax out of such real estate as shall be just and proper, the county court being hereby invested with jurisdiction for said purposes; and any sales of real estate made hereunder

Payment may  
be enforced—  
jurisdiction of  
county court.

shall be made on a credit of not less than six nor more than twenty-four months, barring the right of redemption as in chancery sales. If no one bids an amount at such sales sufficient to cover the taxes due and costs, the clerk of the county court, by himself or agent, shall bid the land in for the state, bidding an amount State may bid in. deemed sufficient to cover said taxes due and costs, and in this event, upon confirmation of the report of sale, a writ of possession may be issued to place the state or its agents in possession of such real estate, and so as to any other purchaser. If the state so become the purchaser of real estate, the cost of the cause shall be paid by the state, the comptroller drawing his warrant therefor in favor of such clerk upon the clerk certifying such cost bill to the comptroller; *Provided, however,* That if said clerk knows of any good and sufficient reason why the payment of such tax has been delayed, he shall not be compelled to file such bill immediately upon said tax becoming due, but may, in his discretion, postpone the bringing of such suit to such time as he deems proper, within the limits of this act; *Provided further,* That if the court adjudges Attorney's fee. such tax to be due and a charge upon the real estate, it shall tax up, as a part of the costs, a reasonable attorney's fee for the clerk's solicitor or attorney in the case, to be collected out of the land as the said tax and other costs. Appeals from final decrees in suits under Appeals. this section shall lie to the circuit court, where an additional attorney's fee for services in that court shall be taxed up as costs (if the said tax be found due and a lien on the land) in favor of the attorney-general of the circuit, who shall attend to such suits in the circuit court, such fee to be fixed by the court. In the trial of suits under this section in the county court, the proof may be heard orally or by deposition, but on appeal the cause shall be heard on the record brought up.

SEC. 15. *Be it further enacted,* That, if the clerk of the county court shall discover that any collateral inheritance tax has not been paid over according to law, he shall cause notice to be served upon the executors, administrators, legatees, or distributees, as the case may be, of the decedent whose estate is subject to the tax, notifying them to appear before the county court on a certain day, which need not be the first day of the term, and show cause why the said tax should not be paid; and, when personal service cannot be had,

notice shall be given for four weeks, once a week, in a newspaper published or circulating in the county, and the matter shall be heard by said court, on written or oral testimony; and, if the tax should be found due and unpaid, the said delinquent shall pay the tax and cost, and the said court shall enter such judgment and orders to this end as may be needful to enforce the collection of the tax and costs. Such notice shall be served at least five days before the time set therein for appearance, and, if by publication, the last publication shall be at least five days before the time of appearance, or the clerk may enforce the collection of such delinquent tax by bill filed in his name as clerk, in the county court, to be proceeded with after the manner of chancery suits, and if he so proceeds by bill, he may obtain writs of attachment against the property of the delinquents, if there be grounds for attachments, as now provided by law, or writs of injunction, if there be grounds for the same; and the county courts are invested with full jurisdiction to hear and determine such suits as if a court of equity for this purpose. But in such cases the testimony before the county court may be either oral or in writing. From final judgments, decrees, or orders in the county courts in suits or proceedings provided by this section, appeals shall lie to the circuit court, in which court the cause shall be heard *de novo*, if commenced by notice in the county court; but, if commenced by bill, it shall be heard only upon the record; *Provided, however,* That if the delinquent be the appellant he shall give bond upon appeal, not only for the costs, but also to pay the tax due if he is cast in the suit. In said appeals the attorney-general of the circuit shall attend to the suits for the clerk or state in the circuit court; and his fee and that of the clerk's attorneys in the county court, if the delinquent held liable, shall be taxed up as costs by the respective courts substantially as provided in section fourteen of this act.

Alternative  
proceedings.

Jurisdiction of  
county court.

Appeals.

County clerks  
state's agents  
for collecting  
tax—provisions  
as to.

SEC. 16. *Be it further enacted,* That the clerks of the county courts of the several counties of the state shall be the agents of the state for the collection of the collateral inheritance and succession tax, or duty provided for by this act, and for their services rendered in collecting and paying over the same, they shall be allowed to retain five percentum on all such taxes paid over and accounted for; and it shall be the

duty of said clerks, whenever necessary, to employ an attorney to aid them in collecting, by suits, the said collateral inheritance tax, the fees of such attorneys to be taxed up by the court as costs against the delinquent, if he shall be held liable, such fees to be reasonable. Any such suits are, on the one side, to run in the official name of the clerk, and may be reviewed in the name of his successor in office; but he is not required to give any bonds for costs in bringing suits, or on appeals; and if suits are decided against him, judgment shall be given against the state for costs, and the state shall pay the same, unless the court should be of the opinion that the suit brought, or the appeal prosecuted by the said clerk, was malicious or frivolous, in which event the court shall tax the cost against the clerk individually; and when the costs, expenses, and attorneys' fees cannot be collected out of the delinquent, when adjudged against him, or when the costs are adjudged against the state, the comptroller is authorized and empowered, in settlement of accounts of such clerks, to allow him to retain such costs and reasonable attorneys' fees incurred in the collection of such taxes. The fact that the clerk is a party to such suits, shall not render him incompetent to issue writs, subpoenas, notices, etc., in such suits, and for the same he shall be entitled to receive the same fees now allowed by law for such services, and also the usual fees for making out transcripts on appeals.

SEC. 17. *Be it further enacted*, That the clerks of the Bonds of clerks. several county courts of the state shall, within sixty days under the passage of this act, enter into bonds before their respective county courts, payable to the state, with two or more sufficient sureties, to be approved by the said courts, for the faithful performance of the duties imposed by this act, and for the regular accounting and paying over of the amount to be collected hereunder, and said bonds, when executed and approved, to be forwarded to the comptroller, and filed in his office. Such bonds in counties of thirty thousand inhabitants and over, by the Federal census of 1890, shall be in the penal sum of two thousand five hundred dollars; *Provided, however*, That when any clerk of the county court is, after the passage of this act, inducted into office, the bond now required by law to be given by him to account for all revenues collected by him for the state shall cover and be liable

for the taxes received and collected by him by virtue of this act; and if that bond be executed and approved, no other or special bond need be given by him to account for revenues collected hereunder. No clerk holding office at the date of the passage of this act, shall receive or collect the taxes provided for herein, until he has entered into the bond provided for by this section.

County clerk to make payment to state treasurer—penalty.

SEC. 18. *Be it further enacted*, That it shall be the duty of the clerk of the county court to make return and payment to the treasurer of the state, in the usual method, of all the collateral inheritance taxes he shall have received for the previous quarter, stating for what estates paid, on the first day of April, July, October, and January in each year; and for all such taxes collected by him and not paid over within one month after his quarterly returns of the same is or should be made, he shall pay interest by way of penalty, at the rate of twelve per centum per annum until paid.

Lien for taxes—limitations.

SEC. 19. *Be it further enacted*, That the lien of the collateral inheritance tax shall continue until the tax is settled and satisfied; *Provided*, That the said lien shall be limited to the property chargeable therewith; *And provided further*, That all collateral inheritance tax shall be sued for within five years after they are due and legally demandable, otherwise they shall be presumed to have been paid, and cease to be a lien as against any purchasers of real estate.

Supreme court —attorney-general to represent clerk and state in.

SEC. 20. *Be it further enacted*, That in suits arising under this act which may be carried to the supreme court, the attorney-general of the state shall represent the clerk of the county court and the state in that court.

Executors and administrators liable on bond; trustee included.

SEC. 21. *Be it further enacted*, That the bonds of all executors and administrators qualifying after the passage of this act, and which are now required to be given by law, shall be liable for the faithful discharge by them of all duties imposed upon them by this act, including the faithful paying over by them of all collateral inheritance taxes that may come to their hands; and any trustee whose duties are similar to those of an executor, or who has the dividing or disposing of an estate of a decedent, is included in this act under the term executor.

SEC. 22. *Be it further enacted*, That in all cases where an estate is being wound up or administered in

a chancery court, it shall be the duty of that court to see that the collateral inheritance tax is paid to the clerk of the county court, if such estate be liable for such tax, and to see that such tax is paid or retained before a legacy or share or an estate is paid or turned over to the owner; and if any such tax is received by the clerk and master, it shall be ordered paid by him to the county court clerk; and upon such payment being made by a clerk and master he shall take duplicate receipts from the county court clerk, and transmit one of them to the comptroller, who shall countersign it and return it, and it shall only be a good voucher to the clerk and master upon its being so countersigned.

Duties of chancery clerk; clerk and master.

SEC. 23. *Be it further enacted*, That the appraiser provided for by this act shall be sworn by the county court clerk to faithfully and impartially perform his duty, and to make due returns, in writing, of his action in the premises, with a written statement appended of the length of time spent by him in appraising the particular property, and the necessary expense, by items, incurred by him traveling to and from the property, if there be such expense; and for his services the appraiser shall receive two dollars per day for the time necessarily spent in such service, and his actual traveling expenses in addition, to be paid him by said clerk out of any collateral inheritance tax coming to his hands, and for which the clerk shall receive credit; *Provided*, Said clerk shall have the right to audit any such cost bill of an appraiser, and to reduce the amount of the same if satisfied it is incorrect, and it shall be his duty to do so.

Appraiser—oath and compensation of.

SEC. 24. *Be it further enacted*, That this act shall only apply to the estates of persons dying after its passage, and not to the estate of any person dying prior to its passage.

Application of act.

SEC. 25. *Be it further enacted*, That Section 6 of Chapter 25 of the Acts of the Extraordinary Session of 1891, providing for an inheritance and succession tax in certain cases, and all other acts in conflict with this act, be, and the same are hereby, repealed. And it is provided that when any tax may have been collected but not paid into the state treasury under said section hereby specially repealed, the same shall be refunded to the parties from whom collected, to be used and disposed of as if said section had not been enacted.

Act repealed; tax refunded—when.

SEC. 26. *Be it further enacted*, That the terms

County court—  
what referred  
to.

“county court” used in this act shall be construed to apply to the county courts presided over and held by the chairman or county judge, and not to the quarterly county courts.

Sec. 27. *Be it further enacted*, That this act shall take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,

*Speaker of the Senate.*

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,

*Governor.*

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## CHAPTER 175.

AN ACT to amend an act, styled “An act to incorporate the town of Pulaski, Tenn.,” passed February 2, 1850, so as to authorize the board of mayor and aldermen of said town to provide, by ordinance, for the prevention of fires, and extinguishment of the same; to establish fire companies, to regulate, restrain, or prohibit the erection of wooden buildings in said town; to regulate and prevent the carrying on of manufactories dangerous in causing or producing fire, and, to these ends, to lay off and establish a fire limit or district.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act of the General Assembly of the State of Tennessee, passed February 2, 1850, entitled “An act to incorporate the town of Pulaski, Giles County, Tenn., be, and the same is hereby, amended so as to authorize the board of mayor and aldermen of said town of Pulaski, Tenn., to provide, by ordinance, for the prevention of, and extinguishment of, fires; to organize and establish fire companies; to regulate, restrain, or prohibit the erection of wooden buildings in any part of said town; to regulate and prevent the carrying on of manufactories dangerous in causing or producing fire, and, to these ends, lay off and establish a fire limit or district in said town.



SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 7, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 176.

AN ACT to establish the boundary line of Sequatchie County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the following shall constitute the boundary of Sequatchie County, to wit: Beginning at a large post-oak stump on the west side of the East Valley road, in the old lot line, dividing lots Nos. 13 and 14, and running south  $52\frac{1}{2}$  degrees east, crossing Alexander Gap road at 630 poles; crossing over Philip G. Harvey's barn at 1,158 poles; crossing the North Fork of Soddy Creek at 1,264 poles, and passing north of the old McWilliams school-house 1,786 poles (in all 2,117 poles) to a stone, with several small black oak bushes, pointers on top of a ridge, north-west of the Kinney Hughes old place; thence south  $22\frac{1}{2}$  degrees west 1,031 poles to a stake on top of a ridge, north of the North Fork of Soddy Creek; thence south  $31\frac{1}{2}$  degrees west, crossing Cane Creek at a distance of 2,608 poles on the old county line, from the stake on the north side of the North Fork of Soddy Creek, as above described; crossing said Cane Creek again at 2,684 poles; again at 2,781 poles, about 100 feet below the mouth of Kells' Creek; crossing Halley Branch at 2,927 poles, at 3,046 poles, again at 3,086 poles; crossing Wolf-pen Branch at 3,268 poles; crossing Roberts' Gap road at 3,688 poles; crossing Chickamauga Creek at 3,852 poles; crossing Anderson pike at 4,498 poles; crossing Canon Creek at 5,126 poles, in all 5,602, to a point in

the center of Suck Creek, with black gum and spruce pine pointers; thence up the center of Suck Creek, as it meanders, north  $9\frac{1}{2}$  degrees east 18 poles, north 29 degrees north 8 poles, north  $3\frac{1}{2}$  degrees east 38 poles, north 26 degrees west 20 poles, north 16 poles, north 35 degrees west 4 poles, north  $1\frac{1}{2}$  degrees 28 poles, north 21 degrees west 26 poles, north 56 degrees west 26 poles, east 36 poles, north 5 degrees west 16 poles, north 34 west 16 poles, north 45 west 24 poles, north 33 west 28 poles to the mouth of Conner's Creek; north 25 degrees west 16 poles, north 45 degrees west 30 degrees, north 29 degrees west 14 poles, north 36 degrees west 12 poles, north 25 degrees west 16 poles, north 35 degrees west 12 poles, north 24 degrees west 34 poles, north  $13\frac{1}{2}$  east 42 poles, north 10 west 20 poles, north  $1\frac{1}{2}$  east 24 poles, north  $14\frac{1}{2}$  east 4 poles, north 25 east 14 poles, north 9 east 8 poles, north  $13\frac{1}{2}$  degrees west 12 poles, north  $5\frac{1}{2}$  west 8 poles, north  $8\frac{1}{2}$  east 12 poles, north 24 east 12 poles, north  $32\frac{1}{2}$  east 8 poles, north 25 degrees east 14 poles, north 20 west 4 poles, north 6 poles, north 8 west 6 poles, north 18 east 16 poles, north  $26\frac{1}{2}$  east 10 poles, north 3 west 12 poles, north 35 east 24 poles, north 7.5 east 8 poles, north  $61\frac{1}{2}$  degrees east 6 poles; north 17 east 14 poles, north 38 east 16 poles, north 20 east 26 poles, north 28 west 24 poles, north 20 west 42 poles, north 9 west 24 poles, north  $42\frac{1}{2}$  west 10 poles, north  $31\frac{1}{2}$  west 4 poles, north  $22\frac{1}{2}$  degrees west 12 poles to the mouth of Coal Bank Creek, north  $46\frac{1}{2}$  degrees west 8 poles, north  $50\frac{1}{2}$  west 24 poles, north  $61\frac{1}{2}$  west 14 poles, north  $32\frac{1}{2}$  degrees west 66 poles, north 50 west 10 poles, north  $16\frac{1}{2}$  west 4 poles, north 26 west 6 poles, north 40 west 4 poles, north 14 west 14 poles, north 33 west 8 poles, north 15 west 16 poles, north 10 poles, north  $29\frac{1}{2}$  degrees west 24 poles, north  $5\frac{1}{2}$  east 6 poles, north 11 west 12, north  $4\frac{1}{2}$  east 14 poles, north 4 east 4 poles, north 11 east 6 poles, north 46 west 6 poles to the mouth of Rock House Branch; thence up said Rock House Branch as it meanders, north 27 east 7 poles, north 44 east 6 poles, north 25 east 10 poles, north  $37\frac{1}{2}$  degrees east 18 poles, north 50 east 6 poles, north 29 east 6 poles, north  $61\frac{1}{2}$  east 8 poles, north 41 east 22 poles, north  $49\frac{1}{2}$  east 6 poles, north  $21\frac{1}{2}$  east 56 poles, north  $16\frac{1}{2}$  west 20 poles, north  $31\frac{1}{2}$  west 18 poles, north  $1\frac{1}{2}$  west 12 poles, north 25 west 28 poles, north  $34\frac{1}{2}$  west 26 poles, north 12 west 16 poles, north 50

west 32 poles, north 65 west 50 poles, north  $36\frac{1}{2}$  degrees west 38 poles, north 19 west 50 poles, north 30 west  $11\frac{1}{4}$  poles, north  $1\frac{1}{2}$  east 20 poles, north 13 east, crossing Burnett road at 26 poles, north 5 degrees west 28 poles, north 28 west 20 poles, north 48 west 20 poles, north 30 degrees west 18 poles, north  $21\frac{1}{2}$  west 18 poles, north  $48\frac{1}{2}$  west 28 poles, north  $58\frac{1}{2}$  west 14 poles, north  $62\frac{1}{2}$  west 32 poles, north  $72\frac{1}{2}$  west 38 poles to a stone marked S. C. & N. C., at the head of Rock House Branch, with three black gums and two white oak pointers; thence north 40 west 500 poles to a beech at the head of Grayson's Mill Creek; thence down said Mill Creek as it meanders north  $24\frac{1}{2}$  degrees west 40 poles, north 62 west 18 poles, north 8 west 7 poles, north 85 west 16 poles, north  $58\frac{1}{2}$  degrees west 12 poles, north 67 west 12 poles, north 82 west 18 poles, north  $67\frac{1}{2}$  west 28 poles, north  $59\frac{1}{2}$  degrees west 18 poles to a point opposite A. C. Grayson's barn; thence north 38 west 66 poles, north 22 west 38 poles, north 78 west 8 poles, west 34 poles, north 65 west 24 poles, north 85 west 36 poles, north  $31\frac{1}{2}$  west 28 poles to the East Valley road; thence 85 degrees west 10 poles, north  $35\frac{1}{2}$  west 30 poles, north 1 east 72 poles, north  $53\frac{1}{2}$  west 40 poles, north 5 east 8 poles, north 55 west  $12\frac{1}{2}$ , north 10 west 22 poles to the center of Sequatchie River; thence down the center of the same as it meanders north 44 west 16 poles, north 64 west 16 poles, north  $72\frac{1}{2}$  west 20 poles, north  $61\frac{1}{2}$  west 16 poles, north  $70\frac{1}{2}$  west 42 poles, north  $74\frac{1}{2}$  west 54 poles, north 66 degrees west 18 poles, north  $51\frac{1}{2}$  west 22 poles, north 41 west 46 poles, south 79 west 20 poles, south 62 degrees west 18 poles; south 85 degrees west 28 poles, south 59 degrees west 12 poles to a point in the center of said river opposite the mouth of Hendrick's Creek; thence up Hendrick's Creek as it meanders north  $45\frac{1}{2}$  west 12 poles, south  $82\frac{1}{2}$  degrees west 4 poles, north 50 degrees west 9 poles, south 74 degrees west 8 poles, north 40 west 8 poles, south 49 degrees west 8 poles, south 64 west 22, north 23 west 6 poles, south 72 west 12 poles, north  $3\frac{1}{2}$  west 10 poles, north  $69\frac{1}{2}$  west 14 poles, north 82 west, crossing Nashville, Chattanooga & St. Louis Railway at 8 poles, in all 32 poles; north 60 west 20 poles, north 62 west, crossing West Valley road at 5 poles, in all 14 poles; north  $76\frac{1}{2}$  west 24 poles, south 87 degrees west 13 poles, north 84 degrees west 14 poles, south 74 west 18 poles,

south  $53\frac{1}{2}$  west  $17\frac{1}{2}$  poles, north 79 west 23 poles, south 67 degrees west 17 poles, north  $86\frac{1}{2}$  degrees west 42 poles, north  $71\frac{1}{2}$  west 12 poles, north  $87\frac{1}{2}$  west  $13\frac{1}{2}$  poles, north  $49\frac{1}{2}$  west 32 poles, north 70 west 12 poles, north 85 degrees west 6 poles, south 36 degrees west 20 poles, north 65 west 11 poles, north 79 degrees west 26 poles, north 64 west 15 poles, north 38 west 36 poles, north 86 west 16 poles, north 80 west 16 poles, south 79 west 14 poles, north 85 west 12 poles, south 73 west 19 poles, north  $73\frac{1}{2}$  west 8 poles, north 44 west 10 poles, north 54 west 18 poles, north 66 west 32 poles, north  $24\frac{1}{2}$  west, passing mouth of Roberson's Branch at 4 poles, in all 24 poles; north 25 west 16 poles, north  $13\frac{1}{2}$  degrees east 16 poles, north 30 west 40 poles, to a point on top of bluff where Hendrix Creek passes over the bluff, north 25 degrees west 20 poles, north 20 west 20 poles; thence leaving said Hendrix Creek north  $64\frac{1}{2}$  west 1.264 poles to a white oak and pointers (the white oak marked "H. L. W. R."); thence north  $12\frac{1}{2}$  degrees west 240 poles, to a white oak on the top of a high ridge, known as Pike's Peak, south-west of the old Lockhart place, with chestnut and other pointers, said white oak being corner in common to Sequatchie, Marion, and Grundy Counties; thence with the line of Grundy County north 30 degrees east 83 poles and 3 links to a hickory, with two chestnut, oak, and two black gum pointers at the last top of said hill; thence north 27 degrees east, crossing the old Lockhart road at 112 poles, near the head of Jake's Gulf, crossing said road again at 208 poles, and reaching the foot of Couch Ridge at 320 poles, in all 413 poles, to a rock with three black oak and one black gum and two chestnut oak pointers on the top of the Couch Ridge; thence north 2 degrees east 37 poles and 5 links to a small chestnut oak with hickory and two chestnut oak pointers; thence north 39 east 36 poles to a double hickory with four hickory, one black, oak and one black gum pointers; thence north 50 degrees east 85 poles and 18 links to a stone in the east edge of the old Lockhart road with hickory and sassafras pointers in the old Kelly or Ridge field; thence north 80 degrees east 83 poles and 9 links to a stone in said Lockhart's road with chestnut oak, Spanish oak, and dogwood pointers; thence south 70 degrees east 28 poles to a stone with three red oaks, two white oaks, and one hickory pointers south-east edge of said Lockhart

road; thence south 84 degrees east 67 poles and 10 links to a broken-topped hickory with three locust and two red oak pointers east of the Lockhart road; thence north 13 east 36 poles to a stone with two black gum and two black oak pointers; thence south 85 degrees east 30 poles to a stone with three white oak pointers; thence north 8 degrees east 65 poles to a black gum with black gum and chestnut oak pointers; thence north 4 degrees west 28 poles and 13 links to a black gum with four black gums, one hickory, and two black oak pointers; thence north 78 degrees east 50 poles and 10 links to a small red oak with five hickory pointers and two dogwoods and one red oak pointers; thence north 15 degrees east 13 poles and 20 links to a small black oak with several small black oaks, locust, and one black gum pointers; thence north 50 degrees east 55 poles and 19 links to a small chestnut oak with two hickory, one red oak, and one black oak pointers; thence north 85½ east 16 poles and 15 links to a red oak on top of a high hill known as Deakin's Dumpling, with four black oak pointers; thence north 42 degrees east touching the south side of the old McMinnville and Chattanooga stage road at 82 poles and 13 links at a stone marked G. and S. (which point is north 85 west 2 poles from the mile-post marked 13 miles to Dunlap), in all 120 poles to a small double hickory and several pointers, north of the old abandoned Chattanooga road; thence south 36 degrees east 31 poles to a dead topped white oak with black gum and white oak pointers on the south side of the McMinnville and Chattanooga road; thence north 57 degrees east 146 poles to a stone on the extreme top of Bunkers' Hill Ridge north of the McMinnville and Chattanooga road and east of the Brewer or Dividing Ridge road with three hickory and three black oak pointers—stone marked S. C. and G. C.; thence north 51 degrees west 15 poles to a stone with two chestnut and one red oak pointers; thence north 5 degrees east 84 poles to a stone with two white oak and one red oak pointers on the north side of a little basin; thence 54 degrees east 42 poles and 20 links to a stone with three hickory and one white oak pointers; thence north 25 degrees east 64½ poles to a large white oak with five hickory and two black oak pointers; thence north 62 degrees west 51 poles and five links to a white oak with two hickory and one chestnut oak

pointers; thence north 3 degrees west 50 poles to a stone with two white oak and several kickory pointers; thence north  $87\frac{1}{2}$  degrees east 27 poles and 10 links to a black oak with two white oak pointers on the east side of the dividing ridge road; thence north 20 degrees east 46 poles to a stone marked G. and S. in the old Wimberly field; thence north 40 degrees east 74 poles and 13 links to a stone with three red oaks one locust and one hickory pointers eastwardly from Wm. Wimberly's house and south of a pond; thence north 32 degrees west 18 poles to a double black gum with three chestnut and one white oak pointers west of the aforesaid pond; thence north 33 degrees east 20 poles to a stone with hickory, red oak, and black gum pointers on the east side of the dividing ridge road; thence north 16 degrees east 52 poles and 16 links to a stone with 2 hickory and 2 red oak pointers; thence north 49 degrees east 58 poles and 17 links to a stone, with two white oaks, Spanish oak, and black gum pointers on the west edge of the dividing ridge road; thence north 17 degrees east 26 poles and 22 links to a black gum, with black oak, chestnut oak, and hickory pointers, on the west edge of the dividing ridge road; thence north 33 east 32 poles to a stone, with hickory and white oak pointers; thence north 78 degrees east 35 poles and 15 links to a large black oak on the west side of the dividing ridge road, with two hickory and black oak pointers; thence north 47 degrees east 79 poles to a small white oak, with two white oak, three hickory, and one black oak pointers, on the top of the ridge, at the extreme head of Dunaway's Creek, on the East Fork of Collins' River; thence north 59 degrees west 116 poles to a rock, the south-west corner of the Brewer place, including the same in Sequatchie County, with one white, one black, one chestnut oak, and one hickory pointers; thence with or near west boundary line of said Brewer tract north  $2\frac{1}{4}$  east 117 poles to a stake, with one white oak, one locust, and two hickory pointers, about four poles of what is supposed to be the Brewer north-west corner; thence north 45 degrees west 50 poles to a small black gum in Dunaway's Creek, with one chestnut oak on the west side and two maples and one black oak on the east side, pointers; thence down the center of said creek, with its various meanders, north 68 degrees east 20 poles, north 26 east 9 poles and 6

links, north 19 west 6 poles, north 85 east 24 poles, south 70 east 13 poles, north 53 east 10 poles, north 22½ east 14 poles, north 5 west 26 poles, north 60 east 14 poles, north 26 west 14 poles, north 24 east 21 poles, north 8 east 24 poles, north 60 east 8 poles, north 41 east 14 poles, north 19 east 8 poles, north 29 east 82 poles, north 6 degrees east 22 poles, north 23 east 9 poles, north 42½ east 8 poles, north 57 east 4 poles, north 41 east 12 poles, north 2 west 15 poles to a point in the center of said Dunaway's Creek in the east boundary line of the James W. Tate place, with four spruce pine, two hollies, one black gum, two maple, and one white oak pointers at a large flat rock marked G. C. and S. C.; thence north 88½ west with the line of the James W. Tate tract crossing Cane Creek at 462 poles, in all 520 poles, to a stone with pointers, the south-east corner of said tract; thence north 1½ east, with the line of said Tate tract, 298 poles to the south-west corner of said tract, a black oak and two white oak and two hickory pointers on the north side of a hollow at the foot of a ridge; thence with the base of said ridge north 15 degrees west 43 poles to a black oak and spotted oak with spotted oak and black gum pointers; thence north 81½ west 109 poles to a stone in the center of the Savage or Peak mountain road, with hickory, white oak, and poplar pointers; thence south 30 degrees west 56 poles to a stone with two white oak, sourwood and dogwood pointers on a narrow ridge; thence south 83½ degrees west 10 poles to a poplar with hickory, black gum, spotted oak, chestnut, sourwood, and several small bushes pointers, about two poles south of the Savage woodland field; thence north 50 degrees west passing two poles south of the Simeon Savage house at 68 poles, in all 76 poles, to a stone with mulberry and walnut pointers; westwardly of said Savage's house, including said house in Sequatchie County; thence north 11½ degrees west 46 poles to a stake with black oak, post oak, pine, and chesnut pointers about 8 poles south of the east fork of Collins River; thence north 70½ degrees west 151½ poles to a pine with two red oak pointers, south of the Savage or Peak road, near where a road comes off of the hill into the said Savage road; thence north 49 degrees west, passing about two poles south of Virgil Hill's cabin at 70 poles, in all 96 poles, to a stone at the Wright or Knight place near some old apple trees

in an old cleared lot; thence north  $8\frac{1}{2}$  degrees west, crossing east prong of Collins River at 22 poles, in all 615 poles, to a white oak near the south corner of the Jake Cagle old field with four small pine and one chestnut pointers; thence north 23 degrees west 58 poles to a stone 2 poles and 10 links north 65 degrees west from the center of the window in the west end of the old Jake Cagle house, marked S. and G.; thence north  $11\frac{1}{2}$  degrees east 436 poles to a stone with one black gum two double maple and three black oak pointers near the south-west corner of the Bozwell Bur 105 acre tract; thence with the west boundary line of the same 2 degrees north 2 degrees east 139 poles and 10 links to a stone in the center of the old and now abandoned Hill road where the west boundary of said Bur crossing said road; thence with the various meanders of said road north 45 degrees west 36 poles, north 41 west 72 poles, north  $53\frac{1}{2}$  west 29 poles, north  $60\frac{1}{2}$  west 101 poles, north  $60\frac{1}{2}$  west 154 poles, north 56 west 52 poles, north  $43\frac{1}{2}$  west 35 poles, north  $90\frac{1}{2}$  west, crossing Lowell branch at 38 poles where the Cagle road intersects the Hill road, in all 102 poles; thence north 61 west 30 poles, north 54 west 42 poles, north  $60\frac{1}{2}$  west 50 poles, north 49 west 58 poles, north  $43\frac{1}{2}$  west 134 poles, north 53 west 18 poles, north 57 west 28 poles, north 62 west, passing the mouth of the lane at John Christian's at 12 poles, in all 50 poles, north 71 west 58 poles, north 51 west 70 poles, north 41 west 16 poles, north 34 west 64 poles to a point in the road opposite the Savage P. Hill cabin spring, north  $57\frac{1}{2}$  west 108 poles, north 55 west 72 poles, north 58 west 65 poles, north  $64\frac{1}{2}$  west 37 poles, north  $74\frac{1}{2}$  west 16 poles, north  $69\frac{1}{2}$  west 36 poles, north  $46\frac{1}{2}$  west 80 poles to a stone marked G. S. and W. in the Warren County line, at the west edge of the old Hill road near a white oak marked as a corner by M. J. Walker, surveyor of Grundy County; thence leaving said road and running with the Warren County line north 82 east, crossing Hill's Creek at 296 poles, again at 558 poles, again at 670 poles in all, 927 poles, to a stone on the side of the hill between the old burnt stand house and the spring, with white oak pointers, it being the corner of Van Buren, Warren, and Sequatchie Counties; thence north 26 poles to a point in the center of the old Savage road, with several trees marked as pointers; thence with said road south



73½ east 26 poles, south 79 east 26 poles, north 85 west 20 poles, north 73½ east 128 poles, north 2½ east 136 poles, north 78 east 30 poles, north 87½ east 124 poles, south 88 east 71½ poles to a stake in the road opposite the old Myers cabin; thence south-westwardly with said road to the west line of the Myers tract of land; thence with its line westwardly to its north-west corner; thence eastwardly to its north-east corner; thence southwardly to said road to said stake, so as to include all of said Myers tract in Sequatchie County; thence south 68½ east 44 poles, south 66 degrees east 14 poles, north 65 east 22 poles, north 52 degrees east 48 poles, north 59 east 24, north 74 east 26 poles, north 70 degrees east 46 poles, north 63½ east 42 poles, north 69 east 40 poles, north 75 east 32 poles, north 79 east 30 poles, north 73 east 80 poles, north 71½ east 58 poles, north 64½ east 28 poles, south 64 degrees east 26 poles, north 68½ east 18 poles, north 56 east 14 poles, north 63 east 54 poles, north 69 degrees east 14 poles, north 63 east 54 poles, north 69 east 14 poles, south 89 east 84 poles, south 84½ east 32 poles, south 87 east 30 poles, north 85 east 46 poles, north 80 east 16 poles, south 86 east 26 poles, south 79 east 18 poles, north 73 east 20 poles, north 81 east 10 poles, north 88 east 38 poles, north 86½ east 86 poles, to a stake in said old road south of the north chimney of John M. Johnson's house (the Olio post-office now being at said Jonnson's, in Van Buren County), north 87½ east 270 poles, to a stake in said road on the extreme dividing ridge between the waters of Rocky River and Brush Creek; thence leaving said road north 53 east 20 poles, north 13 west 56 poles, north 65 east 20 poles, north 58 east 32 poles, north 69 east 32 poles, north 41 east 22 poles, north 9½ crossing the Myer road at 92 poles, in all 122 poles, to a stake in the center of the old Hitchcock road, with white oak and post oak marked with X; thence north 65½ east 585 poles, to a white oak on the west bank of big Brush Creek, and on the north side of the old Harrison road, it being the south-west corner of Bledsoe County, and the north corner of Sequatchie County, said white oak tree marked B, S, and V, and a stone planted at the root of said tree also marked B, S, and V; thence down said Big Brush Creek, with its various meanders, south 1 west 520 poles, south 5½ east 174 poles, to the mouth of Glady's Fork, south 55 east 590 poles, to the mouth of Felton's Creek, south 10 east 160 poles, west 58 poles, south

9½ west 130 poles, south 62½ east 74 poles, south 15½ east 88 poles, south 54½ east 40 poles, to the mouth of the long fork of Big Brush Creek, south 29½ east 48 poles, south 12 west 40 poles, south 16 east 18 poles, south 31 east 52 poles, south 46½ east 18 poles, 580 east 26 poles, to the mouth of Flat Rock Branch; thence south 26 poles; thence leaving the creek south 47½ east, reaching the top of Cumberland Mountain next to Sequatchie Valley at 1,151 poles, crossing West Valley road at 1,538 poles, the Nashville, Chattanooga & St. Louis Railway at 1,543 poles, crossing Sequatchie River at 1,682 poles, again at 1,717 poles, again at 1,805 poles, in all 2,350 poles to the place of beginning, containing 274 square miles.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 177.

AN ACT to amend an act, entitled "An act to provide for the construction, repairing, and buying of turnpikes, macadamized, and graded gravel road."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act to provide for the construction, repairing and buying turnpikes, macadamized and graded gravel roads, passed March 23, 1883, be, and the same is hereby, amended so that Section 1 of said act shall read "that the county court of each county in the state, at the January term, 1894, thereof, and at the January term every four years hereafter, may elect a board of commissioners, to be known as the turnpike commissioners. Said board

Turnpike  
commissioners.

shall be composed of three persons, the chairman of said court being ex officio chairman of said board. The other two persons shall be free-holders not members of said county court, and resident of the county for which they are elected."

SEC. 2. *Be it further enacted*, That Section 8 of said act be amended so as to read "that said money, tax, or fund may be expended within the corporate limits of any incorporated city or town in macadamizing or graveling a leading county thoroughfare or road running through such incorporated city or town; *Provided*, Such incorporated city or town has not more than two thousand inhabitants, according to the census of 1890 or any future census, and that said commissioners shall not be precluded from coming within the corporate limits of any incorporated city or town in the county for the purpose of joining with a turnpike or a macadamized or graded gravel road or street within the corporate limits of said city or town.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 178.

AN ACT to repeal the charter of the town of Macon, in Fayette County, Tennessee, and to repeal Sections 1, 2, 3, 4, 5, and 6 of Chapter 207 of the Acts of the Twenty-sixth General Assembly of the State of Tennessee, passed February 2, 1846, entitled "An act to incorporate the town of Macon."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Sections 1, 2, 3, 4, 5, and 6 of Chapter 207 of the Acts of the Twenty-sixth General Assembly of the State of Tennessee, passed February 2, 1846, and entitled "An act to incorporate the town of Macon," be, and the same is hereby, repealed.

SEC. 2. *Be it further enacted*, That the charter of the town of Macon, in the county of Fayette, and State of Tennessee, be, and the same is hereby, abolished.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 179.

AN ACT authorizing the application of the railroad fund of Montgomery County to other purposes after the debt is paid.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter, in Montgomery County, if there remains a surplus at the end of the year to the credit of the railroad fund of the county, after all accrued interest and all bonds past due or that may have been called in are paid, this surplus may be applied to the extinguishment of any just

claim against the county for which an appropriation has been made by the county court, such application, if made, to be reported to the next meeting of the revenue commissioners of the county for their approval.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict herewith be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 180.

AN ACT to prevent the spread of communicable diseases among domestic animals in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That upon the nomination of the state board of health of a qualified and competent person, resident of the state, and who is a graduate of some regular and established veterinary college, and skilled in the art of veterinary science, the governor shall appoint and commission the same state veterinary surgeon, whose term of office shall be for five years from date of appointment or until his successor shall have been appointed and duly qualified; said state veterinary surgeon to have such annual compensation as may be determined and agreed upon by the said state board of health; *Provided*, That the said state board of health shall have the power to remove said state veterinary surgeon when, in their judgment, the public welfare requires it.

State veterinary  
surgeon—  
appointment of.

SEC. 2. *Be it further enacted*, That the said state veterinary surgeon shall, before entering upon the discharge of his duties, take an oath or affirmation, as

Oath and bond.

provided by law in the case of other state officers, and shall immediately execute a bond to the state of Tennessee in the sum of ten thousand dollars (\$10,000), and with such securities as shall be approved by the said state board of health, and file the same in the office of the secretary of state, conditioned for the faithful performance of the duty imposed upon said state veterinary surgeon as may be prescribed by said state board of health.

Board may  
quarantine, etc.

SEC. 3. *Be it further enacted*, That the state board of health shall have the general supervision of all communicable diseases among domestic animals within, or that may be in transit through the state, and they are empowered to establish quarantine against any animal or animals thus diseased or that have been exposed to others thus diseased, whether within or without the state, and may make rules and regulations against the spread and for the suppression of said disease or diseases as, in their judgment, may seem necessary and proper; and in the enforcement of such rules and regulations said state board of health shall have the power to call on any one or more of the peace officers, whose duty it shall be to give all the assistance in their power.

Penalty for  
evading regula-  
tions of board.

SEC. 4. *Be it further enacted*, That any person who willfully hinders, obstructs, or otherwise disregards or evades such quarantine as said state board of health may declare, or violate any rule or regulation they shall make in attempting to stamp out or restrict the spread of any disease or diseases aforementioned, or who shall resist any peace officer acting under said state board of health, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than fifty dollars nor more than five hundred, or imprisonment in the county jail for a period of twelve months, one or both, at the discretion of the court.

Existence of  
disease—board  
to be notified of;  
penalty.

SEC. 5. *Be it further enacted*, That in the event of any communicable disease aforesaid breaking out or being reasonably suspected to exist in any locality in this state, it shall be the duty of the local health authorities, or persons owning or having any interest whatever in said animals, immediately to notify the said state board of health of the fact, when said board shall institute such measures for the restriction or stamping out of such disease or diseases as they may think necessary. Any person or persons above specified who shall neglect or refuse to notify said state

board of health of the existence of any communicable disease as aforementioned, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not more than ten dollars (\$10), or confined in the county jail not exceeding two months, or both, at the discretion of the court.

SEC. 6. *Be it further enacted*, That whenever, in the opinion of the state board of health, the public safety demands the destruction of any animal or animals under the provisions of this act, they shall, before ordering the killing or slaughtering of the same, appoint two competent and disinterested free-holders, who shall be affirmed or sworn, before proceeding to to act, and they, together with the state veterinary surgeon, shall thus constitute a board of appraisement to make a just and true valuation of said animal or animals to be so killed or slaughtered, and in valuing shall consider health and condition of animal when killed; and after said board of appraisement shall make and deliver a written certificate, setting forth all the essential facts in the case to the lawful owner, who shall present the same for payment to the chairman of the county court of the county in which such animal are animals are so killed or slaughtered, and the same shall constitute a county charge, and to be paid as other claims against the county now are.

Destruction of  
animal—ap-  
praisement;  
pay for.

SEC. 7. *Be it further enacted*, That any person or persons who knowingly shall import or bring into this state any animal or animals affected with pleuropneumonia, rinderpest, glanders, or other communicable diseases, or who shall sell or trade, or offer for sale or trade, any animal or animals so diseased, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than one hundred dollars, or imprisonment in the county jail for a period not exceeding three months, or both, in the discretion of the court.

Importation or  
trading in dis-  
eased animals;  
penalty.

SEC. 8. *Be it further enacted*, That the governor of the state, with the state board of health, may co-operate with the government of the United States for objects of this act; and the governor is hereby authorized to receive and receipt for any moneys receivable by this state under the provisions of any act of congress which may at any time be in force upon this subject, and to pay the same into the state treasury, to be used according to the act of congress and the provision of this act as nearly as may be.

Co-operation  
with general  
government.

SEC. 9. *Be it further enacted*, That all laws and parts of laws in conflict with this act be, and the same are hereby, repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## CHAPTER 181.

AN ACT to incorporate the town of East Knoxville, in the county of Knox, authorizing it to borrow money and issue bonds for corporate purposes, provide for an election of officers, prescribe their duties, and other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of East Knoxville, in the county of Knox, and the inhabitants thereof be, and are hereby, constituted a body-politic and corporate under and by the style and name of "Mayor and Aldermen of the Town of East Knoxville," and shall have perpetual succession by their corporate name; may sue and be sued, plead and be impleaded, grant, receive, and purchase, and hold real, mixed, and personal property, or dispose of the same for the benefit of said town, and may purchase, receive, and hold property, real and personal, beyond the limits of the town to be used for the burial of the dead, for the erection of water-works, work-houses, or houses of correction, public parks, and other corporate purposes, and may sell, lease, or dispose of such property for the benefit of the town, and do all other acts touching the same as natural persons. It shall have and use a common seal, and may change it at pleasure.

Name and style;  
general powers.

SEC. 2. *Be it further enacted*, That the corporate limits of said town of East Knoxville shall embrace the following territory lying contiguous to the city of Knoxville on the east, to wit: Beginning at a point

Extension of  
boundary.



in the present eastern boundary of said city of Knoxville, in the center of the culvert of the East Tennessee, Virginia & Georgia Railroad, where said railroad crosses First Creek, thence southwardly, following the present corporate line down the course of First Creek to the point in the bend of said creek, where the present corporate line leaves said creek; thence with the said corporate line south-eastwardly to the point where it crosses the boundary line between the property of Joseph W. Sneed and the McCammon tract; thence northwardly with the said line between Sneed and McCammon, and with the line between the Mabry tract, known as the Mount Isabella tract, and Swan Nelson and Mabry addition on the west and the McCammon tract, now known as Chilbawee Park, and the Saxton tract on the east, a general northern course, crossing the Dandridge pike to Nelson street; thence eastwardly with the county road, which is the eastern extension of Nelson street, parts of which are now known as Orange street and Cavalier street, to the south-east corner of the "State Fair Grounds," now known as Thompson's and Strong's addition; thence northwardly to the eastern boundary of said Thompson's and Strong's addition to the eastern boundary of the street in said addition, known as the Corso; thence with the eastern boundary of the same, north-westwardly to Cherry street, as laid off in the Cold Spring addition to Knoxville; thence with said Cherry street, still northwardly, to the northern boundary of the Cold Spring addition in the county road, now known as the Hardin Hill road; thence with said road eastwardly and then northwardly to the center of the East Tennessee, Virginia & Georgia Railroad; thence with said railroad, a general westward course, to the point of beginning.

SEC. 3. *Be it further enacted*, That the officers of the town of East Knoxville to be chosen by the people shall be a mayor and board of aldermen, constituting a town council, each and all of whom shall be citizens of and voters in said town. The board of aldermen shall consist of five members, chosen by the qualified voters of said town for two years. No person shall be an alderman unless he has been for six months, and then be, a *bona fide* resident of the town. Any alderman, after his election, removing from the town shall thereby vacate his said office.

Officers chosen  
by people;  
aldermen.

SEC. 4. *Be it further enacted*, That the town council

Officers elected  
by council; dis-  
mission; sala-  
ries, etc.

shall, at its first meeting in each year, elect a recorder, marshal, and such other officers, servants, and agents as they may deem necessary and may provide for by ordinance, and shall have power to prescribe the duties of same, all of which officers, agents, and servants shall be *bona fide* citizens of and voters in said corporation; the town council shall also fix the compensation of such officers, etc., before their election, which compensation shall not be increased or diminished during the term for which they were elected; the council shall also have power to dismiss any officer, servant, or agent elected, or by them appointed, two-thirds of said council concurring in said dismissal, for any misdemeanor or misconduct. The town council shall also fix the salaries of the mayor and board of aldermen to be chosen for the next corporate term, at the regular election to be held on the — day of —, to serve for the ensuing two years, which compensation shall not be changed unless two-thirds of the new board of mayor and aldermen concur therein, and then not increased during the term for which they were elected. The salaries of any of the other officers, agents, and servants shall be fixed by the incoming board of mayor and aldermen.

Special powers.

SEC. 5. *Be it further enacted*, That the town council shall have power by ordinance within the town—

1. To assess property for taxes, and to levy and collect, by proper officers, taxes upon all real and personal property, polls and privileges taxable by the laws of the state.

2. To appropriate money and provide for the debts and expenses of the town.

3. To make regulations to prevent the introduction of contagious diseases into the town, or appoint a board of health for the purpose, and to enforce the same within one mile of the town limits.

4. To establish hospitals, and make regulations for the government of the same.

5. To establish a system of free schools, and maintain them by taxation, and to regulate the said schools so as to avoid sectarian influence.

6. To make regulations to secure the general health of the inhabitants and to prevent nuisances.

7. To provide the town with water-works, or contract with others for water, within or beyond the town limits, for town or corporation purposes.

8. To open, alter, abolish, widen, extend, establish,

grade, pave, or otherwise improve, clean, and keep in repair streets, pikes, highways, alleys, and sidewalks, or to have the same done.

9. To erect, establish, and keep in repair bridges, culverts, sewers, and gutters.

10. To provide for lighting the streets and public buildings and places.

11. To erect market-houses, to establish markets and regulate the same.

12. To provide for the erection of all buildings necessary for the use of the town.

13. To provide for the inclosing, improving, and regulating all public grounds belonging to the town in or out of the town limits.

14. To license, tax, or regulate every thing or person licensed, taxed, or regulated by the state or county.

15. To regulate or prohibit and suppress all disorderly houses or bawdy houses.

16. To provide for the prevention and extinguishment of fires; to organize and establish fire companies; regulate, restrain, and prohibit the erection of wooden buildings in any part of the town; to regulate and prevent the carrying on of manufactories dangerous in causing or producing fires.

17. To regulate the storage of gun-powder, tar, pitch, resin, saltpeter, asafœtida, gun-cotton, and all other combustible materials, and the use of lights, candles, and stove-pipes in all stables, shops, and all other places.

18. To establish standard weights and measures, and regulate the weights and measures to be used in the town in all cases not otherwise provided by law.

19. To provide for the inspection of lumber and other building material.

20. To provide for the inspection, weighing or measuring of every thing not prohibited by state law.

21. To regulate the police of the town; to impose fines, forfeitures, and penalties for the breach of any ordinance, and provide for the recovery and appropriation of the same; and to appoint an officer for the town, who shall be the recorder, before whom such recovery may be had, not, however, to exclude the jurisdiction of any other competent court.

22. To provide for the arrest and confinement, until trial, of all disorderly or riotous persons within the town by day or by night; to authorize the arrest and

detention of all suspicious persons found violating any ordinance of the town.

23. To prevent and punish, by pecuniary penalties or otherwise, all breaches of the peace, noise, or disturbance, disorderly assemblages in any alley or street, house or place in the town, by day or by night.

24. To prevent and remove all encroachments into and upon all streets, lands, parks, avenues, and alleys established by law or ordinance.

25. To remove all obstructions from the sidewalks, and to provide for the construction and repair of all sidewalks and curbstones, and for cleaning the same and of gutters, at the expense of the owners of the grounds fronting thereon.

26. To regulate, tax, license, or suppress the keeping or going at large of animals within the town or any prescribed or designated part of the town, to provide pounds and impound any animal or animals, and in default of redemption in pursuance of ordinance, to sell, dispose of, or kill the same.

27. To pass all ordinances not contrary to the constitution and laws of the state that may be necessary to carry out the provisions and full intent and meaning of the object of their incorporation.

28. To commit any person or persons who may fail or refuse to pay or secure any fine or cost imposed on him or them by any ordinance of said town to the jail or work-house of said town or to the jail or work-house of Knox County until such fine and cost be fully paid or secured; every person so committed to the jail or work-house shall be required to work for the town at such labor as his or her health and strength will permit, within or without said jail or work-house, not exceeding ten (10) hours each day, and for such work the person so employed shall be allowed, exclusive of his board, a credit upon such fine and costs of not less than twenty-five cents per day until the whole is discharged, when he shall be released; *Provided*, That no person shall be compelled to work longer than three months for any one offense.

29. Said corporation may enter into agreement with Knox County to be allowed to commit prisoners to the jail or work-house of said Knox County upon such terms as can be agreed upon.

30. To prepare and have published a digest or compilation of all the ordinances and resolutions of a public nature in force within six months after the passage of

this act, and a like digest or compilation thereafter as often as may be deemed necessary.

31. No member of the town council shall become a bondsman for any agent, officer, or servant of the town, nor be interested, directly or indirectly, in any contract with the corporation; nor shall any officer of the town council vote on any proposition in which he has pecuniary interest.

32. To judge of the qualifications; elections, and returns of its own members, to prescribe rules for the determination of contested elections, and to determine how vacancies shall be filled, and to determine all questions in case of ties in any election, and to prescribe rules for the government of the board of mayor and aldermen.

SEC. 6. *Be it further enacted,* That the first election for mayor and board of aldermen under this act shall be held by the sheriff of Knox County on the third Saturday in July, 1893, so as to comply with the state laws governing elections in Knox County. All elections thereafter for the said town of East Knoxville shall be held by the marshal of the corporation, aided by two clerks and three judges, all of whom shall be legal voters in said town, on the third Saturday in July in every two years, after giving ten days' notice. The voters shall vote by ballot and under such rules and regulations as the board of mayor and aldermen may prescribe as to the place, hours, etc., of voting by ordinance. The officers of the town thus chosen shall go into office on the first meeting after the election, to hold office for two years, or until their successors are elected and qualified. The following shall be the qualifications for voting in town elections: 1. He shall be qualified to vote for state and county officers. 2. He shall have resided for six months next preceding the election within the town limits, and shall be a male citizen. 3. A voter's residence is hereby defined as the place at which he habitually sleeps.

Elections; terms  
of office.

Qualifications  
of voters.

SEC. 7. *Be it further enacted,* That the judges and clerks to hold the election shall be sworn and qualified according to the election laws of the state, and the said election shall be conducted in all respects as all the various state and county elections by virtue of the election laws of the state. The judges and clerks shall file the poll list with the town recorder, who shall preserve the same.

State election  
laws to govern.

SEC. 8. *Be it further enacted,* That the person re-

Majority vote  
elects; certifi-  
cate.

Failure to hold  
election; penal-  
ty.

Quorum of  
council; vacan-  
cy; oath of  
office.

Mayor—duties  
and powers.

ceiving the highest number of votes respectively for mayor and aldermen shall be declared elected, and it shall be the duty of the officer holding said election to make out and deliver to the recorder a certificate of their election within three days thereafter, which certificate shall be produced at the first meeting of the board, and a minute thereof shall be made upon the records of the town; and if the marshal shall fail to hold said election at the time herein mentioned, it shall be his duty to hold it as soon thereafter as may be after giving the requisite notice, and for failure to hold the election as prescribed in this act he shall forfeit and pay to said corporation the sum of fifty dollars, to be recovered by action of debt in the name of East Knoxville, and if there be no marshal, or he be a candidate for any office, or incompetent for any reason, the election shall be held by a person to be appointed by the mayor and aldermen, under the same regulations and penalties as hereinbefore prescribed.

SEC. 9. *Be it further enacted*, That a majority of the town council shall be a quorum to do business; and if the mayor, or any of the aldermen, or any officer, should die, resign, or move out of the town limits, the vacancy shall be supplied by the council at its next meeting, or as soon thereafter as may be, and the person or persons so elected shall perform the same duties and be vested with the same powers and privileges as the persons whose duties they are appointed to fill, and upon like condition the mayor and aldermen and all officers shall respectively take an oath, before entering upon the duties of their office, to execute the same faithfully and impartially, and the mayor and aldermen shall also take an oath to support the constitution of the United States and the constitution of the State of Tennessee.

SEC. 10. *Be it further enacted*, That the mayor shall hold his office for two years, and until his successor shall be elected and qualified. No person shall be elected mayor who is not, at the time of his election, a citizen of the state of Tennessee, and has not been for six months, and is not then a bona fide citizen and voter in said town. A vacancy in the office of mayor shall be filled by the board of aldermen. The mayor may fill all vacancies occurring in any office except that of aldermen, until the same be filled by the town council. It shall be the duty of the mayor to preside

at all meetings of the council, to vote in the election of all officers of the town, and in all cases where there is a tie vote. All ordinances or resolutions shall be approved and signed by the mayor on or before the next meeting of the council, and the mayor shall have veto power; and if he should refuse to approve any ordinance or resolution, he shall return the same to the council at its next meeting, with his reasons, in writing, for his refusal; and said ordinance or resolution shall not be valid unless the council, by a two-thirds vote, pass the same, notwithstanding the mayor's veto; but if the mayor does not vote same as provided, it shall be valid without his signature. The mayor shall also take care that all the ordinances of the town are duly enforced, respected, and observed within the town limits, shall call special sessions of the council when he may deem expedient, and to perform such other duties as the town council may, by ordinance or otherwise, impose upon him. A recorder is hereby vested with all the powers of a justice of the peace in criminal cases, and shall try all offenses against the peace and dignity of the town of East Knoxville; *Provided, however,* That a change of venue may be had in any case when affidavit is made by the accused, and at least one disinterested party, that justice, in their opinion, will not be meted out by the recorder, to any alderman of the town of East Knoxville, who is hereby authorized to try and decide such case or cases. In the event an appeal is taken from any fine imposed by the recorder or alderman of said town for violation of any of its ordinances to the circuit court of Knoxville, Tenn., the person so appealing shall give bond and security for the payment of said fine and cost, and to abide by and perform the judgment of the court on appeal, and shall, in no case, be entitled to an appeal from said fine and cost on the pauper's oath. The recorder shall keep an accurate minute of all the proceedings of the town council, issue privilege licenses, and collect taxes on same; he shall collect all special taxes levied by the town council, and shall keep a proper ledger account of the same; he shall make out the town tax-books, and turn the same over to the marshal for collection, taking his receipt therefor under the state laws regulating and governing the assessor of the state and county taxes. The compensation for this service shall not exceed annually twenty dollars; he shall have super-

Recorder to try  
cases; change of  
venue; appeals.

Minutes of  
council; taxes.

vision over, and care of, other town property, unless otherwise provided by ordinance. The recorder shall perform such other duties as the town council may, by ordinance, impose upon him. The recorder may be required, by ordinance, to act as treasurer, if council so prescribe, by ordinance or resolution.

**Treasurer.**

The town treasurer shall receive from the town marshal and recorder, receipt, take care of, and keep a proper account of all funds of whatever nature that may come into his hands. For such purpose, he shall keep such book or books as the town council may direct; he shall make out and present quarterly, or oftener, if required by council, a full and explicit account and report of all finances of the town, which report the town council may order published for the information of the town. Before entering upon the discharge of his duties, he shall give bond, with good security, conditioned upon the faithful and honest discharge of all duties pertaining to his office, and similar in all respects to that of the marshal and recorder, as hereinafter provided; he shall perform such other duties pertaining to his office as the town council may, by ordinance, provide. In the absence of the recorder, the mayor may designate an alderman, who shall be vested with the same power as the recorder, to try cases. The marshal shall acquaint himself

**Absence of recorder.**

**Marshal.**

thoroughly with the laws and ordinances of the town, and it shall be his duty to rigidly enforce the same, for which purpose police authority is hereby given him, which he may exercise without warrant in hand; he shall collect all taxes levied by the council, except privileges and special taxes, and shall perform such other duties as the town council may, by ordinance, impose upon him. He shall have power to execute state warrants, and other processes which constables generally have within town limits. The marshal shall be chief of any police force organized in the corporation.

**Fees of recorder and marshal.**

SEC. 11. *Be it further enacted,* That the recorder and marshal shall receive such fees as the justices of the peace and constables are authorized to receive for rendering judgment, services of process, etc., and shall receive such other fees for other services as the council may allow them.

SEC. 12. *Be it further enacted,* That, before entering upon the discharge of their duties, the recorder and marshal shall enter into bond, with good securities,



in double the supposed amount of money which may come into their hands (the amount of such bonds to be fixed by the town council), conditioned upon the faithful performance of their duties, and upon the diligent collection and faithful accounting for all moneys that shall or ought to come into their hands for fines, forfeitures, and other moneys due said town, and which ought, by law, to be collected and paid over by them; and the said marshal shall be liable, as herein mentioned, for failing to collect money, to return process, or pay over money collected by process issued by the recorder or aldermen. Said bonds shall be made payable to East Knoxville or its treasurer, for the use and benefit of said town. Said bonds shall be filed and carefully preserved among the records of said town. The town marshal and recorder shall pay over to the treasurer all sums of money by them received for the said town of East Knoxville. They shall both render quarterly, and as much oftener as the town council may require, full and complete statements of the finances under the control of each of them.

Bond of recorder and marshal — liability; quarterly reports from.

SEC. 13. *Be it further enacted*, That the duties of the other officers, servants, and agents of the town shall be such as the town may, by ordinance, prescribe.

SEC. 14. *Be it further enacted*, That it shall be the duty of the jailer of Knox County to receive and keep in jail any person who may be committed to his charge for a breach of the by-laws or ordinances of said town, and all riotous and disorderly persons committed to his charge by the town marshal or other officer of the town, for which he shall receive such fees as may be agreed upon by the town council, by and with his consent; *Provided*, The corporation and Knox County agree, as hereinbefore provided.

Knox County jailer to receive prisoners.

SEC. 15. *Be it further enacted*, That when any tax or duty shall be levied or imposed by said corporation upon any real estate lying within said town of East Knoxville, and the owner or owners, occupier or occupiers thereof shall not pay the same, and the town marshal make return of that fact, under oath, that the owner or owners have no personal property within the said town upon which to distrain for the said tax or duty, it shall be the duty of the recorder, by and with the advice and consent of the council, to take such

Delinquent taxes.

steps for the collection of said taxes or duties as are or may be provided for by the laws of the state.

Proceedings  
against recorder  
or marshal—  
cause.

SEC. 16. *Be it further enacted*, That if the recorder or town marshal of said town shall fail to collect, or after collecting shall fail or refuse to pay over any moneys by either of them received for the use of said town, said recorder or marshal, as the case may be, shall be liable to be proceeded against by motion or suit at common law, in the circuit court of Knox County, or any other court having jurisdiction of the person of such recorder or marshal, as the case may be; and it shall be the duty of such court to enter up judgment against such delinquent officer and his securities for the money so received, or that ought to have been collected, in the name of East Knoxville, for the use of said corporation; *Provided*, That if the proceedings be by motion, such officer shall have five days' notice thereof.

Prohibitions as  
to appropri-  
ations.

SEC. 17. *Be it further enacted*, That the board of mayor and aldermen are forbidden from making any appropriation of money or credit in the way of donation for festivities, pageants, excursions, or parades; nor shall said municipality be authorized to subscribe for stock in any railroad company or in any other corporation, or give or lend any money, aid, or credit to any person or corporation whatever; and said municipality is hereby prohibited from employing or appropriating the money and taxes to be derived from the sale of bonds hereinafter authorized, or from taxes to be assessed and collected in any other manner than for strictly corporate purposes, and from issuing any bonds except as hereinafter provided.

Bonds—as to  
issuance of;  
amount; objects

SEC. 18. *Be it further enacted*, That from and after the passage of this act it shall be lawful for East Knoxville to issue coupon bonds, in the manner and under the restrictions hereinafter provided, not to exceed in the aggregate a sum which, taken with any debt of corporation then existing and not provided for by prior assessment of taxes, shall equal ten per cent. of the value of property subject to taxation by corporation, as shown by assessment next preceding the submission of the question of issuance of bonds to qualified voters, as hereinafter required; *Provided*, Said bonds or their proceeds shall not exceed fifty thousand dollars; and the moneys so realized shall be used solely for the purpose of erecting and maintaining sewers, providing for water facilities, lights, im-

proving streets, avenues, and alleys, providing school-buildings, fixtures, and schools, parks, and such buildings as the town council may consider necessary for corporate purposes.

SEC. 19. *Be it further enacted*, That all bonds so issued shall be of such denominations, bear such interest, not exceeding six per cent. per annum, and be due at such time, not less than five nor more than thirty years from date, and be payable at such times and places as the town council may determine; *Provided, however*, that all such bonds shall bear the same interest. Denomination, interest, maturity.

SEC. 20. *Be it further enacted*, That the bonds thus provided for shall in no case be sold for less than par, and the coupons attached shall, at maturity, be receivable for all taxes and dues to the corporation, except the "sinking fund," provided for by the following section, and the school-tax. Not sold below par; receivable for taxes—exceptions.

SEC. 21. *Be it further enacted*, That before any bonds shall be issued under foregoing provisions, the corporation shall provide, by ordinance, for a sinking fund, wherewith to retire the bonds, by levying a special tax, same to be designated "the sinking fund tax," the tax run with the bonds, and to be collected annually, and used exclusively for the purpose levied, and to be sufficient, with its accumulations, as near as may be estimated, to meet or retire the principal indebtedness by its maturity. Sinking fund tax.

SEC. 22. *Be it further enacted*, That said corporation, through its council, before issuing the bonds, shall elect three persons, citizens, as sinking fund commissioners, who shall be so first elected that one of said commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve three years, so as to keep the number of commissioners three at all times. Sinking fund commissioners.

SEC. 23. *Be it further enacted*, That said commissioners shall take an oath faithfully to discharge their duties, and give bond under such penalties and conditions, and serve for such compensation, as may be prescribed by ordinance. Oath, bond, compensation.

SEC. 24. *Be it further enacted*, That such commissioners shall receive sinking fund taxes, and invest same from time to time in the bonds of the corporation, if any are redeemable, or other securities, to be approved by the council, until bonds become redeem- Duties of commissioners; bonds destroyed—record.

able, and settle their accounts as may be required by ordinance; *Provided, however,* That when any bond is purchased or redeemed it shall be canceled or destroyed in presence of the council, and record be kept of same.

Bonds—election  
as to.

SEC. 25. *Be it further enacted,* That the said bonds shall not be issued unless so authorized by two-thirds of the votes cast by qualified voters voting at an election to be held by order of the mayor and aldermen, at any time and as many times as the mayor and aldermen may deem necessary.

Evidence—this  
act and ordi-  
nance received  
as.

SEC. 26. *Be it further enacted,* That this act is declared a public law, and may be read in evidence in all the courts of law and equity; and all ordinances, resolutions, and proceedings of the board of mayor and aldermen may be proved by the seal of the corporation, attested by the recorder, and, when printed and published by the authority of the council, the same shall be received as evidence in all courts and places without further proof, when certified by the recorder.

Election as to  
becoming incor-  
porated.

SEC. 27. *Be it further enacted,* That the foregoing sections of this act shall not take effect to incorporate the said town unless at an election to be held, as herein provided, the residents and property owners of said territory shall, by a majority vote, signify their wish to become incorporated under the terms of this act.

Election to be  
advertised; who  
may vote.

SEC. 28. *Be it further enacted,* That an election for this purpose shall, after legal advertisement, be held in said territory, by the sheriff of Knox County, on the fourth Saturday of July, 1893, in accordance with the laws now in force regulating general elections applicable to the county of Knox, at which election all persons residing in said territory, who are entitled to vote in general elections of said county, and all males over twenty-one years of age who own real estate within said territory of the value of five hundred dollars (\$500), according to the tax assessment for the year 1892, shall be entitled to vote.

Ballots.

SEC. 29. *Be it further enacted,* That the ballots to be voted in said election shall be prepared and furnished as other ballots are, by existing laws, required to be prepared and furnished for general elections held in said county, and shall have printed on them the words "For Corporation," and the words "No Corporation," and those voting in favor of being incorporated

under this law shall make on the ballot deposited by them a cross mark opposite the words "For Corporation," and those voting the contrary shall mark on the ballot deposited by them a cross mark opposite the words "No Corporation."

SEC. 30. *Be it further enacted*, That unless said election is held, and unless at said election a majority of the ballots cast shall be in favor of incorporation, then the sections of this act providing for the incorporation of the said town of East Knoxville shall be inoperative and of no effect; but if said election is held, and a majority of the ballots cast therein shall be in favor of incorporation, then the section of this act providing for the incorporation of said town shall immediately take effect, and the said town shall forthwith become incorporated with the powers, rights, and privileges conferred by this act. Act effective—when.

SEC. 31. *Be it further enacted*, That it shall be the duty of the sheriff holding said election to make and file a written report thereof to the judge of the county court of Knox County, showing the number of votes cast for incorporation, and the number of votes cast against incorporation, and the same shall be spread of record in the minutes of the said court, and said report shall be conclusive of the result of said election, and a duly certified copy thereof from the records of said court shall be evidence in all the courts of this state. Report of result of election.

SEC. 32. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 182.

AN ACT to authorize the city of Jackson, a municipal corporation incorporated under the name of the mayor and aldermen of the city of Jackson, to hold an election for the purpose of, and to issue seventy-five thousand dollars of municipal or corporate bonds for the purpose of loaning, donating, or disposing of the same in aid of and to induce the building and location of manufacturing establishments, not more than two in number, in or near said city or municipal corporation, and to amend and enlarge the charter of said corporation, and the acts of the General Assembly of the State of Tennessee, incorporating and chartering said municipality, and the acts of the said general assembly amendatory thereof, viz.: An act of said assembly, passed March 3, 1854, an act passed December 14, 1868, an act passed May 25, 1866, an act passed March 26, 1881, and an act passed April 7, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the municipal corporation, incorporated under the name and style of the mayor and aldermen of the city of Jackson, and contained in said act of the General Assembly of the State of Tennessee, passed March 3, 1854, and the acts amendatory thereof, being the acts referred to in the foregoing caption, be, and the same, together with said acts, are hereby, amended so that said municipal corporation, and the mayor and aldermen thereof, shall have, and are hereby vested with, the power to issue, under the provisions and limitations of this act, hereinafter set out, interest-bearing coupon bonds of said municipal corporation, not to exceed in the aggregate the sum of \$75,000, and to loan, give, or dispose of the same in aid of and to obtain the location of manufacturing establishments or enterprises in said municipality, or near thereto; *Provided,* The location of such manufacturing establishments, and issuance of said bonds, shall be agreed upon and determined by the qualified voters of said municipality in an election or elections held for that purpose; and all bonds issued under this act shall be used alone and exclusively for the purpose herein designated, and shall be of such denominations, and bear such rate of interest, not to exceed six per cent. per annum, and mature at such time, not less than ten nor more than thirty years from the date of their issuance, and be payable at such times and places as may be determined upon by said corporate authorities.

May issue  
bonds; objects.

Denominations,  
interest, maturity.

SEC. 2. *Be it further enacted*, That none of the bonds provided for in this act shall be sold for less than par, and the coupons, when due, shall be receivable for all taxes and dues to the corporation, except the school-tax, the tax especially levied to pay the interest on the bonds of said city heretofore issued, and the sinking fund hereinafter provided for.

Not sold below par; receivable for taxes—exception.

SEC. 3. *Be it further enacted*, That said bonds may be issued as designated in this act, in aid of either one or two manufacturing enterprises, but not more than two; and in any election held the manufacturing establishment to which the contemplated aid is to be given; shall be specifically designated, together with the amount of bonds proposed to be used for the designated enterprise.

Aid of "not more than two;" election.

SEC. 4. *Be it further enacted*, That, before the mayor and aldermen shall issue any of the bonds contemplated by this act, they shall first order an election of the voters of said city, and prescribe rules and regulations therefor, and shall give notice of said election by publication in some newspaper published in said city, at least once a week for three consecutive weeks, or by hand-bills, publicly posted, for at least twenty days, specifying in such notice the amount of bonds proposed to be issued for the particular manufacturing enterprise or enterprises, and if three-fourths of the qualified voters voting at such election assent thereto, by casting their ballots in favor thereof, then the mayor and aldermen shall issue the bonds for the amount, and for the particular manufacturing enterprise or enterprises in favor of which said three-fourths vote shall have been cast; and said election may be held at any time, or as many times, for any and all of said purposes as the said mayor and aldermen may determine; *Provided*, The time or times of election shall, in no event, extend beyond the first of June, 1893.

Election as to issuance; three-fourths vote required.

SEC. 5. *Be it further enacted*, That said mayor and aldermen shall, each and every year, levy a tax not to exceed fifteen (15) cents on the one hundred dollars (\$100) upon all taxable property and privileges of said city to pay the interest on such bonds as may be issued hereunder, and to provide a sinking fund, to be used exclusively for the purposes levied.

Interest and sinking fund tax.

SEC. 6. *Be it further enacted*, That before any of the said bonds shall be issued, the said mayor and aldermen shall elect a board of three commissioners, to be

Sinking fund  
commissioners;  
oath and duties.

known as sinking fund commissioners, who shall hold office for three years and until their successors are elected and qualified, and to be so elected that one of said commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve for three years. Said commissioners shall, before entering upon the discharge of their duties, take an oath before a qualified officer to faithfully discharge their duties, and shall give bond in such sum as may be required of them, and otherwise qualify themselves, and receive such compensation as the ordinance of the corporation may prescribe and provide. Said commissioners shall receive from the collector of taxes all the sinking fund tax, and shall invest the same, from time to time, in the bonds of the corporation here contemplated, and make settlements of their accounts in such manner and with such persons as the corporation may, by ordinance, direct; *Provided, however,* That whenever such bonds of the city are purchased or invested in by the commissioners, they shall cancel the same in the presence of the board of mayor and aldermen in such manner as may be determined by ordinance.

Certain acts  
amended.

SEC. 7. *Be it further enacted,* That the said charter of said municipal corporation, and the said acts of the General Assembly of the State of Tennessee, and the said act of March 3, 1854, creating and chartering said corporation, and the said act of May 26, 1866, December 14, 1868, March 26, 1881, and April 7, 1881, amendatory to said charter, be, and the same are hereby, amended, so as to confer upon said municipal corporation, the mayor and aldermen of the city of Jackson, full power and authority to perform and carry out the objects and purposes of this act.

SEC. 8. *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*



## CHAPTER 183.

AN ACT to declare Duck River not navigable up stream from and above Paint Rock, in Humphreys County, Tenn.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all laws and parts of laws whereby Duck River is now navigable up stream from and above Paint Rock, in Humphreys County, be, and the same are hereby, repealed.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

R. TURNEY,  
*Governor.*

## CHAPTER 184.

AN ACT to amend the charter of the city of Cleveland, Tenn., incorporated under the general corporation act of the Code of Tennessee, and all acts heretofore passed amendatory thereof, and of giving said corporation additional powers, so as to divide the city into three wards, and provide for the election of two aldermen from each ward by the legal voters thereof; and provide for the election of a mayor, recorder, and marshal by the qualified voters of the city; and provide for the election of treasurer, tax-assessor, school-custodian, and attorneys by the aldermen, and prescribe the duties of the officers and fix their compensation and salaries; and authorize said city to issue bonds for public purposes, after submitting the bond question to the qualified voters thereof; and to adjust taxes on real, personal, and mixed property, privileges, and polls; to define the duties of the officers of said corporation, and allow said city, after a vote has been taken and carried according to the provisions of this act, to issue bonds for public purposes specified in this act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Cleveland, in the county of Bradley, and State of Tennessee, and the inhabitants thereof, be, and are hereby, constituted a body-politic and corporate, under and by the name of

Name and  
general powers.

the "City of Cleveland;" may sue and be sued, grant, receive, purchase, and hold real estate, mixed and personal property, and dispose of the same for the use and benefit of said city, and may have and use a common seal, and change the same at pleasure.

Boundary.

SEC. 2. *Be it further enacted*, That the corporate limits of said city of Cleveland shall be as follows: All that portion of the Sixth Civil District of Bradley County, Tennessee, contained in the following boundary: Beginning at a stake at the south-west corner of the old L. G. Ross farm, thence east with the line between said farm and the Raht estate lands, on a straight line across the East Tennessee, Virginia & Georgia Railroad Co., through the J. E. Raht farm and across the spring place road; thence on a line from the beginning to the west line of the land formerly owned by Judge J. J. C. Gaut; thence east with that line to a stake opposite the railroad crossing near the old Carson residence; thence north-west to the east end of the lane running by J. P. Lea's residence, between the railroad and Charleston dirt road; thence north-west with the south side of said lane to the Charleston dirt road at the Joseph Callaway house; thence north on the east side of the Charleston road with said road to the McCrosky lane; thence west with the south side of said lane to a lane at J. T. Harle's line; thence south on west side of said lane with the lane or road to J. R. Taylor's line; thence west with said line to the creek at the slaughter-pen; thence south with the eastern prong of said creek to the foot-log across Town Creek; thence eastward in a straight line to J. C. J. Woll's blacksmith shop; thence south with the Johnson line to the beginning corner, being the same boundary at present in the corporate limits of said town.

SEC. 3. *Be it further enacted*, That the said city of Cleveland shall be divided into three (3) wards, as follows:

#### FIRST WARD.

The first ward in said city shall be constituted and composed of all the territory in said corporate limits west of Ocoll street.

#### SECOND WARD.

The second ward shall be constituted and composed of all the territory in said corporate limits lying be-

tween Ocoll street and the East Tennessee, Virginia and Georgia Railway Company.

THIRD WARD.

The third ward shall be constituted and composed of all the territory in said corporate limits lying on the east side of the East Tennessee, Virginia and Georgia Railway Company.

SEC. 4. *Be it further enacted*, That the legislative power of said town shall be exercised by the board of mayor and aldermen, elected under the provisions of this act, over whose meetings the mayor shall preside as presiding officer. A majority of all the aldermen shall constitute a quorum, for the transaction of business. In the event the mayor should be temporarily absent, the board shall elect one of their number to preside over that meeting, in which event one more than a quorum shall be present. In the event of the death of the mayor, or should his office become vacant by removal from the town, resignation or impeachment, then the board shall proceed, at the first regular meeting thereafter, to elect one of their number as mayor to fill the unexpired term, and then elect some person eligible from the same ward. The alderman elected as mayor is to fill his unexpired term.

Board—of  
whom com-  
posed.

The board shall be composed of one mayor, who shall be elected by the qualified voters of the entire city, and six aldermen, two of which shall be elected from each of the three wards, and by the legal voters of each ward at the first election held under this act. The legal voters of each ward shall elect two aldermen from each of said three wards, one of whom shall hold for a period of two years, and the other for the period of one year. The aldermen elected from each of said wards receiving the highest number of votes at said election, shall hold for the two years' term, and the other aldermen elected shall hold the one-year term, and at each succeeding election each of said wards shall elect one alderman, and at the first and every annual election, a mayor, recorder, and a marshal shall be elected by the legal voters of said city. No person shall be eligible to the office of mayor unless a citizen of Tennessee, who has resided in the town at least one year immediately preceding his election, and a freeholder and twenty-five years of age; and no person shall be eligible to the office of alderman unless a citizen of Tennessee, and a freeholder

Aldermen,  
mayor, and re-  
corder—election  
and qualifica-  
tions.

and twenty-one years of age; and no person shall be eligible to the office of recorder unless a citizen of Tennessee, who has resided in the town for at least one year immediately preceding the election, and twenty-five years of age; and should either of the above qualifications cease, then the office becomes vacant. At the election hereinafter provided for, there shall be elected, by the voters of each ward, two aldermen at the first election, and one annually thereafter, and by the legal voters of said city a mayor, marshal, and recorder, to serve for a period of one year, except one alderman in each ward at the first election shall serve two years, and the election shall be held annually thereafter.

Oath of office.

SEC. 5. *Be it further enacted*, That the mayor and aldermen, marshal and recorder, before entering upon their duties, shall take an oath that they will honestly and faithfully discharge the duties of their offices without partiality, favor, or affection.

Election, etc., of board; quorum; charges against members; meetings.

SEC. 6. *Be it further enacted*, That the board, in session, shall judge of the qualification, election, and return of the members of the board, and shall prescribe rules for the determination of contested elections. A less number than a quorum can adjourn from day to day, and, under the provisions of ordinances, may compel the attendance of absent members by fines and penalties. For all investigations of charges against its members or other officers, or such matters pertaining to the affairs of the town, the mayor shall, at the orders of the board, issue subpoenas and compulsory process to compel the attendance of witnesses and the production of books and papers. The board of mayor and aldermen shall hold its meetings at such times as it may determine; not more than one stated meeting per month.

Mayor's salary.

SEC. 7. *Be it further enacted*, That the mayor of said city shall receive for his services the sum of one hundred and fifty dollars (\$150) per year. The aldermen of said city shall receive no compensation whatever.

Election of officers—terms; qualifications of voters.

SEC. 8. *Be it further enacted*, That the sheriff of Bradley County, after the act becomes a law, after giving ten days' notice in some newspaper published in said city of Cleveland, Tennessee, shall open and hold an election in the city of Cleveland, on the fourth Saturday of December, 1893, to elect two aldermen, one to serve two years, one one year,

from each of the three wards of said city; one mayor, one recorder, and one marshal for said city, to serve for one year; and on the fourth Saturday of December each succeeding year, for the purpose of electing one person from each of the three wards of said city as alderman and one person as mayor, one person as recorder, and one person as marshal of said city, to serve for one year; and all persons within limits of said corporation, who would be qualified to vote for members of the legislature of the state, and all male persons twenty-one years of age, who have owned real estate within the limits of said corporation for ninety days next preceding an election, the value of their interest in which is not less than \$100, according to the city assessment, shall be entitled to vote in said election; *Provided*, That at any subsequent election held after the one herein provided for, it will be held by the city marshal, or by any other person duly and properly authorized by the mayor and board of aldermen, and upon such notice as hereinbefore prescribed; *Provided further*, That, in case of the death, removal, or resignation of any one of said officers of said corporation, the mayor and aldermen shall have power to fill such vacancy for the unexpired term.

Marshal to hold elections; vacancy—how filled.

SEC. 9. *Be it further enacted*, That the several persons so qualified as aforesaid, having received the highest number of votes at any election so held, shall be declared elected, and the person holding the election shall, within three days, deliver to each officer so elected a certificate of their election; and the mayor and aldermen so elected shall meet at a suitable place in said city on the first Saturday of January, of each year, and be qualified and inducted into office, and then shall proceed to elect a mayor *pro tempore*, to serve during the temporary absence or disability of the mayor, without compensation, a city treasurer, school custodian, and a city attorney.

Election, and certificate of, to board; certain officers elected by board.

SEC. 10. *Be it further enacted*, That the corporation aforesaid shall have full power and authority to make and pass such laws and by-laws and ordinances as are necessary to prevent or remove nuisances; to provide for licensing and regulating auctions; taxing, regulating, or restraining theatrical or public amusements and shows or exhibitions within the bounds of the corporation; for restraining or prohibiting gambling; to regulate the sale of intoxicating liquors, beer, ale,

Special powers.

or malt liquors; to establish night or day watches and patrols; to ascertain, when necessary, the boundary and location of streets, lanes, and alleys; to have and to keep in repair the streets and alleys, and pass all laws necessary for the same; to erect and regulate markets; to regulate drayage and personal privileges; to provide for the establishment and regulation of a fire company or fire companies, the sweeping of chimneys, and the safe condition of flues; to impose and to appropriate fines, penalties, and forfeitures for breach of by-laws or ordinances; to build and keep in good condition a lock-up or calaboose for the safe-keeping of persons who violate any of said by-laws or ordinances of said corporation; to levy and collect taxes on privileges, real and personal, for the purpose of carrying the necessary measures into operation for the benefit of said city; to regulate the speed of locomotive engines and cars passing through said corporation, and prevent engines and cars from blocking up public highways at their crossings, or standing in a certain distance from the crossings of the said highways for a longer time than is necessary to transact their business; to establish fire limits and such general regulations, by ordinances, for the prevention and extinguishment of fires as they may deem expedient; to regulate the storage and transportation of illuminating oils, high explosive gun-powder, tar, pitch, resin, and other explosives and combustible materials, and to regulate or prohibit the use of fire-arms, fire-crackers, and all other fire-works; to open, alter, abolish, widen, extend, establish, grade, pave, or otherwise uniform and keep in repair streets, avenues, lanes and alleys, sidewalks, drains and sewers, and to provide for the planting and protection of shade-trees upon the streets, avenues, or parks, or other public grounds and regulate the same; to provide for lighting the streets or public grounds by gas or electricity or otherwise, and to erect lamp-posts, electric towers, or other apparatus for lighting said city; to remove all obstructions from the streets, lanes, alleys, avenues, or sidewalks and curb-stones within the city, and prevent or remove all encroachments into or upon all or any streets, lanes, avenues, or alleys within the city, established by law or ordinance; to regulate the running of horse railway cars, or cars propelled by dummy engines, cable, or electricity, and the laying down of tracks for the same, the transportation of passengers

thereon, and the form of rail to be used, and to require such railroad companies using streets, to lay their tracks at the official grade thereof, and require them to bring such streets between the sidewalks to the official grade at their own expense, and to compel them to pave and keep in repair the streets between their tracks, and for a distance of two feet on each side of the same; to erect and maintain a work-house and house of correction, and to provide for the regulation and government thereof; to prevent and restrain riot, noises, disturbances, or disorderly assemblages in any street, house, or place within the city, breaches of the peace, fighting, or disorderly conduct; to prohibit and punish the abuse of animals; to provide the city with water and erect hydrants and pumps, construct cisterns and reservoirs; to lay pipe for conducting and distributing water over the city, and keep the same in repair; to acquire and own stock in any water company organized for the purpose of supplying said city with water for domestic, irrigating, mechanical, or other purposes; to build and construct reservoirs for the storage of water; to purchase a system of water-works for the use of the city, and enlarge their capacity from time to time, and keep the same in repair, and generally do what may be needful or necessary to be done, by contracting, or otherwise, with water companies, or otherwise, or other persons, firms, or corporations, in order to supply the city with water for fire, irrigation, domestic, mechanical or other purposes, and regulate the same, and fix the price to be charged private consumers thereof; to establish and enforce quarantine laws and regulations, and enforce the same within the city and within one mile thereof; to prevent or regulate the driving of stock through the city; to restrain cattle, horses, hogs, sheep, dogs, and all other animals from running at large within the corporate limits; and to prevent the erection and maintenance of barbed wire fence within the city limits; and to authorize the impounding and summary sale or other disposition of horses, cattle, sheep, dogs, and other animals found running at large within the corporate limits of said town; to regulate or prevent the use of fire-arms or fire-works, or prevent the carrying on of manufactories dangerous in causing or promoting fire; to require parties, before erecting any building or making repairs on any building, to obtain a building permit,

upon written application to the board of aldermen and the mayor; to make all ordinances which shall be necessary and proper for carrying into execution the powers specified in this act; and to make all ordinances which it may deem necessary or requisite for the good order, good health, good government, life, limbs, and death of the citizens of said town and general welfare of the city, and also for the protection of and preservation of any city property, privileges, and franchises, and enforce the same by a proper fine, imprisonment, or other penalties.

Grade of streets and change of same.

SEC. 11. *Be it further enacted*, That the mayor and aldermen shall have power to establish the grade of the streets of said city; and where the grade of any street shall have been established, it shall not thereafter be changed, unless the owners of two-thirds of the frontage in feet of lots fronting and abutting upon the grade proposed to be changed, shall petition for such change.

Marshal—term, board, and certain duties.

SEC. 12. *Be it further enacted*, That the marshal so elected shall continue in office for twelve months from the time of his election, and before entering upon the discharge of the duties of his office, give bond, with good, solvent security, payable to said corporation in the sum of \$500, to be approved by the board, for the faithful discharge of his duties, and to account for all moneys by him collected as fines, costs, taxes, and privileges, and shall pay over to the recorder, monthly, all moneys so collected by him, and shall enforce the ordinances of said corporation.

Mayor—duties of.

SEC. 13. *Be it further enacted*, That it shall be the duty of the mayor to preside at all the meetings of the board, to see that all the ordinances are duly and properly respected, enforced and observed within the town, and call special meetings of the board of mayor and aldermen whenever he may deem it expedient; to make such suggestions, and give instructions in reference to action of said board as, in his judgment, will be most conducive to the interests of said corporation; to carefully examine all bills passed before affixing his signature; and should any such not meet his approval, he shall, at the next regular meeting of the board, return the same, with his objection in writing, and no law so vetoed shall go into effect, unless the same be passed again by a two-thirds vote of all the aldermen of said city. No bill, ordinance, or by-law shall become a law, unless the same shall have

Veto; passage of ordinances.



passed three several readings by a majority vote, and until the same shall have been signed by the mayor, or unless he fails to veto the same by next regular meeting. To give orders upon the city treasurer whenever the board of aldermen direct the same to be done, for the payment of any money that may be due from said corporation, unless disapproved by him, and in that case the bill may be ordered paid by a two-thirds vote of all the aldermen at the next regular meeting; he may make temporary appointments, to fill vacancies occasioned by sickness, absence, or other disability of any city officer, except aldermen, and he may make temporary suspension of a policeman of said city for misconduct, but he shall report the same to the next regular meeting of the board, by whom final action may be taken. He may vote in all elections of officers by said board of mayor and aldermen, and shall cast the deciding vote, or ballot, on any question or measure that may come before said board of mayor and aldermen in case of a tie vote, and shall cause to be prepared and presented to the board, every six months, a full, true, and complete statement of the financial condition of the town, which, if accepted by the board, shall be spread on the minutes of that meeting, and published in the town paper.

Payment of money.

Temporary appointment.

Vote.

Financial report.

SEC. 14. *Be it further enacted,* That the recorder, before entering upon the duties of his office, shall take an oath, such as is required of justices of the peace in this state, and give bond in an amount to be fixed by the board of mayor and aldermen, conditioned on the faithful discharge of the duties of his office, and pay over to the city treasurer all moneys that come, or should have come, into his hands as recorder of said city; and to make final settlement with said board; he shall render, semi-annually each year, and as often as the board may require, a full and complete statement of the finances of said corporation; and he shall assess and collect the taxes for said corporation, and, within thirty days from the time of assessing said taxes, deliver to the city a tax-list, which shall be the authority of the city for collecting the taxes of said city; and he shall preserve a copy of said tax-list with the papers of said corporation. The recorder shall collect all the privilege taxes of said corporation, and receive all fines collected by the marshal, and shall pay over to the city treasurer,

Recorder—oath and bond.

Final settlement.

Assess and collect taxes; tax-list.

Quarterly payment to treasurer.

Try all offenses;  
jurisdiction of  
justice.

Fees.

Treasurer—  
bond; pay  
money only on  
orders.

Receive and  
receipt for  
money.

Work-house;  
working out of  
fines, etc.

every three months, all moneys by him collected, and take his receipt therefor; and, at the expiration of his office, shall deliver to his successor all books and papers belonging to the corporation, and make final settlement with the board. He shall be vested with full power and authority to try all offenses for violation of the ordinances and the by-laws of said corporation; and said recorder of the town of Cleveland be, and is hereby, vested with concurrent jurisdiction with justices of the peace in all cases of violation of the criminal laws of the state, or of the ordinances or by-laws of the board of mayor and aldermen within the corporate limits thereof; and, for trying state offenses, shall be allowed and entitled to the same fees now allowed to the justices of the peace for like services; and, for collecting privilege taxes, he shall be allowed the same fees now allowed county court clerks for like services; and, for making out the tax-lists, he shall be paid such sum as the board of mayor and aldermen shall allow him; *Provided*, That, when the fees of said recorder amount to the sum of \$750 in any one year, that the overplus shall be paid into the city treasurer's hands, for the use and benefit of said city; and said recorder shall keep in a well-bound book, such as justices of the peace keep, a record of all cases tried by him.

SEC. 16. *Be it further enacted*, That the city treasurer shall give bond to the town, with sufficient sureties, to be approved by the board of mayor and aldermen, in such sum as the board of mayor and aldermen shall fix, conditional upon the faithful performance of the duties of this office as treasurer, and to pay over to his successor in office all such sums of money belonging to said corporation as shall be in his hands; and he shall pay out the money in his hands belonging to said corporation only upon orders or vouchers issued to him, signed by the mayor and recorder of said corporation, and shall receive from the tax collector and recorder of said city all moneys belonging to said city, and give them his receipt for the same, and at the end of his term shall make settlement with the board of mayor and aldermen, and pay the school-fund to school custodians.

SEC. 17. *Be it further enacted*, That the board of mayor and aldermen of said corporation shall have full power and authority to erect a work-house and lock-up or calaboose for the safe-keeping of person a

when arrested, who fail to give bond or fail to put up forfeitures for their appearance before the recorder for trial; and when any person or persons have been convicted of any violation of any by-laws or ordinances of said corporation, fails or refuses to pay, or secure to be paid, the fine and costs accruing thereon, the mayor and aldermen may provide by an ordinance for their confinement in said lock-up, work-house, or calaboose, and put them to work for the town, either within an inclosure, on the streets, or other public works, under proper guard, or secured by ball and chain, at such wages as the board may adopt by ordinance, until said costs and fines are paid.

SEC. 18. *Be it further enacted*, That the board of mayor and aldermen shall have full power and authority to dismiss and remove any officer or agent appointed or elected by them, for incompetency or neglect, or disregard of the duties imposed upon them by the by-laws and ordinances of said corporation; *Provided*, That two-thirds of the board of mayor and aldermen concur in the removal or dismissal.

Board may dismiss or remove officer.

SEC. 19. *Be it further enacted*, That the mayor and aldermen of said city shall have full power and authority to lay off and open new streets, lanes, and alleys in said city, and extend the old ones, for the convenience of the inhabitants thereof, by the manner and mode prescribed in Sections 1388, 1389, 1390, and 1391 of T. & S. Code of Tennessee. Also may require the owners of business houses in said city to make good brick, gravel, stone, or wood pavements in front of their said business houses.

Lay off and open streets; pavements.

SEC. 20. *Be it further enacted*, That the board of mayor and aldermen of said city shall have full power and authority, by ordinance, within the town, and for a distance of one mile from the corporate limits, to provide for the arrest and confinement, until trial, of all disorderly and riotous persons within said town, found by day or night, and to authorize the detention of all suspicious persons loitering about said town without any means of support; also to provide for all sanitary measures necessary to prevent sickness, and to establish quarantine where, in the judgment of the board, the same is necessary to be done; and also to set the fees of recorder, marshal, policemen, treasurer, tax-collector, school custodian, and attorney, and witnesses who may be required to attend trial of

Board may provide for arrests.

Sanitary measures.

Fees.

Costs.

causes on behalf of the corporation; *Provided*, That in no case shall the city be responsible for the payment of any costs until collected from the defendant; *Provided*, The costs are adjudged against the defendant in favor of the corporation; *And provided also*, Said costs so adjudged cannot be collected from such defendant, the corporation shall only be liable to pay its own costs, but no more; and in no case shall the corporation be liable for costs if the defendant is acquitted.

May issue bonds for certain purposes.

Limit in amount.

Ordinance as to loans.

Interest and sinking fund tax.

Election as to issuing bonds.

SEC. 21. *Be it further enacted*, That the board of mayor and aldermen are hereby authorized to contract any indebtedness on behalf of the city, and upon the credit thereof, by borrowing money and issuing bonds of the city for the purpose of erecting public buildings, and for the purpose of erecting gas-works or an electric light plant and operating the same, or lighting the city by oil, to light the streets of and public places of said city, and to take stock in any new railroad whose line shall run into or through the corporate limits of said city; *Provided*, That the aggregate indebtedness to be incurred for the above purpose shall never exceed five per cent. of the assessed valuation of the taxable property of the city as shown by the city assessment of the year preceding the one in which the loan is voted; *Provided always*, That no loan be issued for any purpose except by ordinance, which shall be unrepealable until the indebtedness therein provided for and the bonds issued in pursuance thereof shall have been fully paid, and said ordinance shall specify the purpose to which funds received for the bonds to be issued are to be applied, and shall also provide for the levy upon the taxable property of the city sufficient to pay the annual interest thereon and extinguish the principal of said debt and bonds within the time limited for the same, which shall not be less than five nor more than thirty years, and the rate of interest on said bonds shall not exceed six per cent. per annum; *And provided further*, That said taxes, when collected, shall only be applied to the purpose in said ordinance specified until the indebtedness and bonds shall have been paid and discharged. But no such debt shall be created nor bonds issued unless the question of incurring the same and issuing bonds therefor shall be submitted to a vote of the qualified electors and legal voters of the said city, and that three-fourths of the legal voters voting at

said election vote for the issuance of the bonds and creating the indebtedness.

SEC. 22. *Be it further enacted*, That the school-custodian shall enter into bond for the faithful discharge of his duties, and to account for all moneys that come to his hands, said bond to be approved by the board, and amount fixed by the board. He shall receive from the city treasurer all school-funds belonging to said city, and pay it out on the order of the school board of trustees, and shall receive such compensation as the board of aldermen shall fix by ordinance.

School custodian—bond, etc.

SEC. 23. *Be it further enacted*, That the board of mayor and aldermen shall have power and authority to levy taxes for town and school purposes upon all taxable property, real, personal, and mixed, within the limits of the town, not exceeding in the total levy for all general purposes in any year seventy-five cents on one hundred dollars of the total assessment of said property for town and school purposes of that year.

Town and school tax.

SEC. 24. *Be it further enacted*, That all franchises or privileges granted by the said town of Cleveland to corporations or individuals, shall be limited to twenty years from the granting of the same; and such franchises or privileges so granted shall plainly specify on what particular streets, alleys, or avenues the same shall apply; and no franchises or privileges shall be granted by the town of Cleveland in general terms or apply to the town generally; *Provided, however*, That franchises and privileges may be granted gas, water, and electric light companies in general terms, and for a longer period than twenty years, in the discretion of the board of aldermen.

Franchises and privileges granted by board.

SEC. 25. *Be it further enacted*, That the mayor of said city of Cleveland may, at any time in his discretion, appoint one or more policemen, whose compensation shall be provided for by said board of mayor and aldermen, and whose term of service shall not be longer than ten days.

Special police.

SEC. 26. *Be it further enacted*, That the board shall elect or appoint a suitable person to have charge of and superintend the work-hands on the streets, keep their time, and see that they do good work, and shall fix his salary or compensation.

Superintendent of work-hands.

SEC. 27. *Be it further enacted*, That the board of mayor and aldermen may levy a tax, not exceeding fifteen cents on the hundred, upon all property subject

Street tax.

Poll-tax for  
schools.

to state taxation, and a street tax of two dollars on all male persons between the ages of eighteen and forty-five years of age within the corporate limits of said city for streets, alleys, and sidewalks, and a tax not exceeding twenty-five cents on the hundred upon all property subject to state taxation, and a poll-tax not exceeding the state or county poll-tax on all male persons between the ages of twenty-one and forty-five years of age within said corporation limits, exclusively for common-school purposes.

May levy and  
collect taxes.

SEC. 28. *Be it further enacted*, That the board of mayor and aldermen shall have power and authority to levy and collect taxes upon all property and privileges within its limits which are or shall be taxable by the laws of the state.

Authority to  
pass ordinances

SEC. 29. *Be it further enacted*, That said board of mayor and aldermen shall have power and authority to pass all by-laws and ordinances necessary to enforce the power granted not inconsistent with the constitution and laws of the United States or of the State of Tennessee, or of the provisions of this charter.

SEC. 30. *Be it further enacted*, That all acts or parts of acts or laws contrary to or inconsistent with the provisions of this act be, and the same are hereby, repealed.

SEC. 31. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 185.

AN ACT to amend the charter of the town of Jellico, in the county of Campbell, so as to enlarge and define its boundaries and powers, and to change its corporate name.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of Jellico, in the county of Campbell, is hereby amended so as to read as follows: That the inhabitants of the city of Jellico, in the county of Campbell, and State of Tennessee, be, and they are hereby, constituted a body-politic and corporate, by the name and style of the "City of Jellico," and by that name shall have perpetual succession; may sue and be sued, plead and be impleaded in all courts of law and equity, and may have and use a common seal, which they may alter at pleasure.

Name; general powers.

SEC. 2. *Be it further enacted*, That the corporate limits of the city of Jellico shall be as follows: Beginning on a rock in the state line between Kentucky and Tennessee, and known as the "State Line Rock," which stands in the edge of the old county road near the old Richard Perkins dwelling-house, running thence with the state line between Kentucky and Tennessee south 88 east 64 poles to a white oak and chestnut, Frank Graham's corner on said state line; then south 10 east 180 poles to a stake on Smith's heirs and Perkins' line near the county road; then south 85 west 130 poles to a stone on the line of Smith's heirs and the London and New York Land Company; then south 25 west 96 poles to a black oak; then south 41 east 15 poles to a white oak, B. A. Connelly's corner; then with his line south 67½ west 49 poles to four double poplars; then north 9½ west 69 poles to a large black oak; then north 34½ west, running partially with said Connelly's line, but with the old Edward Perkins tract 78 poles to the K. & O. R. R.; then with said Connelly's line north 62½ west 61 poles to a stake; then west 16½ poles to a sycamore on the east bank of Elk Fork Creek; then leaving said Connelly's line and crossing said creek north 83½ west 11¼ poles to a stone; then north 16 east 27 poles to a double walnut

Boundary.

on the east of the Indian Creek road; then north  $1\frac{1}{2}$  east 80 poles to a beech on the said state line, a corner of Jesse Lay tract of land; then with said state line south 88 east 312 poles to the beginning.

Additions to  
city—how made

SEC. 3. *Be it further enacted*, That whenever any territory abutting upon the boundaries of the city of Jellico, shall have been platted by the owners thereof into streets, alleys, blocks, and lots conforming to and corresponding with the alleys, streets, blocks, and lots of the adjacent part of the city, and a map thereof, certified by the city engineer of the city of Jellico as being correct, accompanied by an abstract of the title, properly certified by the city counselor, showing the title to be in the party or parties represented to be the owners of the land which it is desired to annex to the city, the city council may, upon the petition of all such owners of said territory, by ordinance, declare the same to be an addition to the city of Jellico, and thenceforth such territory shall become a part of said city, and within its jurisdiction as effectually as though the same had been annexed by an act of the legislature.

Wards.

SEC. 4. *Be it further enacted*, That the city council may divide the city into wards, not exceeding six (6) in number, and define their boundaries by ordinance, and may, from time to time, alter the same, but not within six (6) months preceding a general election of city officers.

May acquire  
and hold prop-  
erty.

SEC. 5. *Be it further enacted*, That the said city, by the name and style aforesaid, is hereby authorized to acquire and hold real and personal property necessary for the public uses of its inhabitants, both within and beyond the city limits, and to sell and convey the same, when deemed expedient, by the city council; and the city council may, by ordinance, make all needful rules and regulations governing the uses of such property.

Elective officers  
—qualifications

SEC. 6. *Be it further enacted*, That the officers of the city of Jellico to be chosen by the people shall be a mayor and six (6) aldermen, who shall constitute the city council, each of whom shall be a citizen of and voter in said city. Said mayor and board of aldermen shall be chosen by the voters of said city every two (2) years. No person shall be eligible to the office of mayor or alderman unless he has been for six (6) months, and then be, a bona fide resident of the city. Any of said officers removing from the city shall thereby vacate his said office.



SEC. 7. *Be it further enacted,* That the city council shall, at its first meeting in each year, elect a city recorder, city treasurer, city marshal, city counsellor, and such other officers as they may deem necessary and may be provided for by ordinance, and shall have the power to prescribe the duties of the same, all of which officers shall be bona fide citizens in said city. The city council shall also fix the compensation of such officers before their election, which shall not be increased or diminished during their term of office. The council shall also have the power to dismiss any officer or agent elected or appointed, two-thirds of said council concurring in such dismissal, for any misconduct in office. The city council shall also fix the salaries of the mayor and aldermen at least one month before each regular election of said officers, and such compensation so fixed shall not be changed, unless two-thirds of the new city council concur therein. The salaries of any other officers shall be fixed by the council electing them, and before their election.

Officers elected  
by council—  
duties, qualifi-  
cations, dismis-  
sion, salaries.

SEC. 8. *Be it further enacted,* That the city council shall have power, by ordinance, within the city—

Special powers.

1. To assess property for taxes, and to levy and collect, by proper officers, taxes upon real and personal property, polls, and privileges taxable by the laws of the state.

2. To appropriate money and to provide for the debts and expenses of the city.

3. To make regulations to prevent the introduction of contagious diseases into the city, or appoint a board of health for the purpose, and to enforce the same within one mile of the city limits.

4. To establish hospitals and make regulations for the government of the same.

5. To establish a free system of free schools, and maintain them by taxation, and to regulate the said schools so as to avoid sectarian influence.

6. To make regulations, to secure the general health of the inhabitants, and to prevent nuisances.

7. To provide the city with water-works, or contract with others for water-works within or beyond the city limits, for corporate or city purposes.

8. To open, alter, abolish, widen or extend, establish, grade, pave, or otherwise improve, clean, and keep in repair streets, pikes, highways, alleys, and sidewalks, or to have the same done.

9. To erect, establish, and keep in repair bridges, culverts, sewers, and gutters.

10. To provide for lighting the streets and public buildings and places.

11. To erect market-houses, to establish markets, and regulate the same.

12. To provide for the erection of all buildings necessary for the use of the city.

13. To provide for the inclosing and improving all public grounds belonging to the city in or out of the city limits.

14. To license or tax every thing licensed or taxed by the state or county.

15. To regulate or prohibit all disorderly or bawdy houses.

16. To provide for the prevention or extinguishment of fires, to organize and establish fire companies, regulate, restrain, and prohibit the erection of wooden buildings in any part of the city, to regulate and prevent the carrying on of manufactories in causing or producing fire.

17. To regulate the storage of gun-powder, tar, pitch, resin, saltpeter, asafœtida, gun-cotton, and all other combustible materials, and the use of lights, candles, and stove-pipes in all stables, shops, and other places.

18. To establish standard weights and measures to be used in the city in all cases not otherwise provided for by law.

19. To provide for the inspection of lumber and other building material.

20. To provide for the inspection and weighing and measuring of every thing not prohibited by state laws.

21. To regulate the police of the city, to impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of the same, and to appoint an officer for the city, who shall be the recorder, before whom such recovery may be had; not, however, to exclude the jurisdiction of any other competent court.

22. To provide for the arrest and confinement until trial of all disorderly persons within the city by day or by night.

23. To prevent and punish, by pecuniary penalties or otherwise, all breaches of the peace, noise, or disturbances, disorderly assemblies in any alley or street, house or place in the city by day or by night.

24. To prevent and remove all encroachments into and upon all streets, avenues, and alleys, lands and parks established by law or ordinance.

25. To remove all obstructions from the sidewalks, and to provide for the construction and repair of sidewalks and curbstones, and for cleaning the same and of the gutters, at the expense of the owners of the grounds fronting thereon.

26. To regulate, tax, license, or suppress the keeping or going at large of animals within the city, or any prescribed and designated part of the city; to provide pounds, and to impound any animal or animals, and, in default of redemption, in pursuance of ordinance, to sell, dispose of, or kill the same.

27. To pass all ordinances not contrary to the constitution and laws of the state, that may be necessary to carry out the provisions and full intent and meaning of the object of their incorporation.

28. To commit any person or persons, who may fail or refuse to pay or secure any fine or cost imposed on him or them, by any ordinance of said city, to the jail or work-house of said city until such fine or costs be fully paid or secured. Every person so committed to the jail or work-house shall be required to work for the city at such labor as his or her health or strength will permit, within or without said work-house, not exceeding (10) ten hours each day, and for such work the person so employed shall be allowed, exclusive of his board, a credit upon such fine and cost of not less than twenty-five cents a day until the whole is discharged, when he shall be released; *Provided*, That no person shall be compelled to work longer than three months for any one offense.

29. To prepare and have published a digest or compilation of all the ordinances and resolutions of a public nature in force within two months after the passage of this act, and a like digest or compilation thereafter as often as may be needed.

30. No member of the city council shall become a bondsman for an agent, officer, or servant of the city, or be interested, directly or indirectly, in any contract with the corporation; nor shall any member of the city council vote on any proposition in which he has pecuniary interest.

31. To judge of the qualifications, election, and returns of its own members, to prescribe rules for determination of contested elections not in conflict with

general laws on this subject, and to determine how vacancies shall be filled, and to determine all questions in case of ties in an election, and prescribe rules for government of board of mayor and aldermen.

Election for  
mayor and  
board.

SEC. 9. *Be it further enacted*, That the election for mayor and board of aldermen of said city of Jellico shall be held by the marshal of the corporation, aided by two clerks only and three judges, all of whom shall be legal voters in said city, on the first Saturday in January of every two years, after giving ten days' notice. The voters shall vote by ballot, and under such rules and regulations as the board of mayor and aldermen shall prescribe as to the place, houses, etc., of voting, by ordinance. The officers of the city thus chosen shall go into office on the third Saturday in January, to hold office for two years or until their successors are elected and qualified. The following shall be the qualifications for voting in city elections: 1. He shall be qualified to vote for state and county officers. 2. He shall have resided for six months next preceding the election within the city limits, or shall be a male and a *bona fide* owner of real estate within the city limits. 3. A voter's residence is hereby defined as the place at which he habitually sleeps.

Term of office.

Qualifications  
of voters.

Qualifications  
of officers of  
election; poll-  
lists filed with  
recorder.

SEC. 10. *Be it further enacted*, That the judges and clerks to hold the election shall be sworn and qualified according to the election laws of the state, and the said election shall be conducted in all respects as all the various state and county elections, by virtue of the election laws of the state. The judges and clerks shall file the poll-list with the city recorder, who shall preserve the same.

Majority vote  
elects—certifi-  
cate of election.

SEC. 11. *Be it further enacted*, That the persons receiving the highest number of votes, respectively, for mayor and aldermen, shall be declared elected; and it shall be the duty of the officers holding said election to make out and deliver to the recorder a certificate of their election within three days thereafter, which certificate shall be produced at the first meeting of the board, and a minute thereof shall be made upon the records of the city; and if the marshal fail to hold said election at the time herein mentioned, it shall be his duty to hold it as soon thereafter as may be after giving the requisite notice; and for failure to hold the election as prescribed in this act, he shall forfeit and pay to the said corporation the sum of fifty dollars, to be recovered by action

Failure to hold  
election—penal-  
ty.

of debt in the name of the city of Jellico; and if there be no marshal, or he be a candidate for any office, or incompetent for any reason, the election shall be held by a person to be appointed by the mayor and aldermen, under the same regulations and penalties as are hereinbefore prescribed.

Incompetency  
of marshal.

SEC. 12. *Be it further enacted,* That a majority of the city council shall be a quorum to do business, and if the mayor, or if any of the aldermen, or if any officer should die, resign, or move out of the city limits, the vacancy shall be supplied by the council at its next meeting, or as soon thereafter as may be, and the person or persons so elected shall perform the same duties and be vested with the same powers and privileges as the person whose duties they are appointed to fill; and upon like conditions the mayor and aldermen and all officers shall, respectively, take an oath, before entering upon the duties of their office, to execute the same faithfully and impartially; and the mayor and aldermen shall also take an oath to support the constitution of the United States and the constitution of the State of Tennessee.

Quorum of  
council; vacan-  
cy in office—  
how filled.

SEC. 13. *Be it further enacted,* That the mayor shall hold his office for two years, and until his successor shall be elected and qualified. No person shall be elected mayor who is not at the time of his election a citizen of the State of Tennessee, and has not been for six months, and is not then, a bona fide citizen of, and a voter in, said city. A vacancy in the office of mayor shall be filled by the board of mayor and aldermen. The mayor may fill all vacancies occurring in any office except that of alderman until the same be filled by the city council. It shall be the duty of the mayor to preside at all meetings of the council, to vote in the election of all officers of the city, and in all cases where there is a tie vote. All ordinances or resolutions shall be approved and signed by the mayor on or before the next meeting of the council, and the mayor shall have veto power; and if he shall refuse to approve any ordinance or resolution he shall return same to the council at its next meeting, with his reasons, in writing, for his refusal, and said ordinance or resolution shall not be valid unless the council, by a two-thirds vote, pass same, notwithstanding the mayor's veto. But if the mayor does not veto same, as provided, it shall be valid without his signature. The mayor shall take care that all the ordinances of

Mayor—term of  
office, qualifica-  
tions.

Duties of mayor

Approve ordi-  
nances, etc.;  
veto.

the city are duly enforced, respected, and observed within the city limits; shall call special meetings of the council when he may deem expedient, and to perform such other duties as the city council may, by ordinance or otherwise, impose upon him. A recorder's court is hereby established, and the recorder is hereby vested with all the powers of a justice of the peace in criminal cases, and shall try all offenses against the peace and dignity of the city of Jellico; *Provided, however,* That a change of venue may be had in any case when affidavit is made by the accused, and at least one disinterested party, that justice, in their opinion, will not be meted out by the recorder, to any alderman of the city of Jellico, who is hereby authorized to try and decide such case or cases. In the event an appeal is taken from any fine imposed by the recorder or alderman of said city for violation of any of its ordinances to the circuit court of Campbell County, Tennessee, the person so appealing shall give bond and security for the payment of said fine and costs, and to abide by and perform the judgment of the court on appeal, and in no case shall be entitled to an appeal from said fine and cost on the pauper's oath. The marshal shall acquaint himself thoroughly with the laws and ordinances of the city, and it shall be his duty to rigidly enforce the same, for which purpose police authority is hereby given him. He shall collect all taxes levied by the council, except privileges and special taxes, and shall perform such other duties as the city council may, by ordinance, impose upon him. He shall have power to execute state warrants and other processes which constables generally have within the city limits. The marshal shall be chief of any police force organized in the corporation. The recorder shall keep an accurate minute of all the proceedings of the city council, issue privilege licenses, and collect taxes on the same; he shall collect all special taxes levied by the city council, and shall keep a proper ledger of the same. He shall make out the tax-books, and turn the same over to the marshal for collection, taking his receipt therefor under the state laws regulating and governing the assessors of the state and county taxes; the compensation for this service shall not exceed annually fifty dollars; he shall have supervision over and care of other city property, unless otherwise provided by ordinance. The recorder may be required, by ordinance,

Recorder's court; jurisdiction.

Venue—change of.

Appeal; bond.

Marshal—duties of.

Recorder—further duties of.

to act as treasurer, if the council so prescribe, by ordinance or resolution. The recorder shall perform such other duties as the city council may, by ordinance, impose upon him. The city treasurer shall receive from the city marshal and recorder, receipt for, take care of, and keep a proper account of all funds of whatever nature that may come into his hands for such purposes; he shall keep such book or books as the city council may direct; he shall make out and present quarterly, or oftener, if required by the council, a full and explicit account of all finances under his control, and also a complete statement of the finances of the city, which report the city council may order published for the information of the city. Before entering upon the discharge of his duties, he shall give bond, with good securities, conditioned upon the faithful and honest discharge of all duties pertaining to his office, and similar, in all respects, to that of the marshal and recorder, as hereinafter provided; he shall perform such other duties pertaining to his office as the city council may, by ordinance, provide. In the absence of the recorder, the mayor may designate an alderman, who shall be vested with the same power as the recorder, to try cases.

Treasurer—  
duties of; board.

Absence of  
recorder.

SEC. 14. *Be it further enacted,* That before entering upon the discharge of their duties, the recorder and marshal shall enter into bond, with good securities, in double the supposed amount of money which may come into their hands, the amount of such bonds to be fixed by the city council, conditioned upon the faithful performance of their duties, accounting for all moneys that shall or ought to come into their hands for fines, forfeitures, and other moneys due said city, and which ought, by law, to be collected and paid over by them; and the said marshal shall be liable, as herein mentioned, for failing to collect money, to return process, or pay over money collected by process issued by the recorder or alderman. Said bond shall be made payable to the city of Jellico or its treasurer, for the use and benefit of said city; said bonds shall be filed and carefully preserved among the records of the city. The city marshal and recorder shall pay over to the treasurer all sums of money by them received for the city of Jellico. They shall both render quarterly, and as much oftener as the city council may require, full and complete statements of the finances under the control of each of them.

Bond of record-  
er and marshal.

Marshal and re-  
corder to pay  
moneys to treas-  
urer; financial  
statement.

Fees of recorder  
and marshal.

SEC. 15. *Be it further enacted*, That the recorder and marshal shall receive such fees as the justices of the peace and constables are authorized to receive for rendering judgments, services of process, etc., and shall receive such other fees for other services as the council may allow them.

SEC. 16. *Be it further enacted*, That the duties of the other officers, servants, or agents of the city shall be such as the city may, by ordinance, prescribe.

Collection of  
delinquent  
taxes.

SEC. 17. *Be it further enacted*, That when any tax or duty shall be levied or imposed by said corporation upon any real estate lying within said city of Jellico, and the owner or owners, occupier or occupiers thereof shall not pay the same, and the city marshal make return of that fact, under oath, that the owner or owners have no personal property within said city upon which to distrain for the said tax or duty, it shall be the duty of the recorder, by and with the advice and consent of the council, to take such steps for the collection of said taxes or duties as are or may be provided for by the laws of the state.

Proceedings  
against recorder  
or marshal—  
when.

SEC. 18. *Be it further enacted*, That, if the recorder or city marshal of said city shall fail to collect, or, after collecting, shall fail or refuse to pay over any money by either of them received, for the use of said city, said recorder or marshal, as the case may be, shall be liable to be proceeded against by motion or suit at common law, in the circuit court of Campbell County, or any other court having jurisdiction of the person of such recorder or marshal, as the case might be; and it shall be the duty of such court to enter up judgment against such delinquent officer and his securities for the money so received, or that ought to have been collected, in the name of the city of Jellico, for the use of said corporation; *Provided*, That, if the proceedings be by motion, such officers shall have five days' notice thereof.

Prohibitions as  
to appropriations.

SEC. 19. *Be it further enacted*, That the board of mayor and aldermen are forbidden from making any appropriation of money or credit in the way of donation for festivities, pageants, excursions, or parades; nor shall such municipality be authorized to subscribe for stock in any railroad company or in any other corporation, or give or lend any money, aid, or credit to any person or corporation whatever; and said municipality is hereby prohibited from employing or appropriating money and taxes to be derived from



sales of bonds hereinafter authorized, or from taxes to be assessed and collected in any other manner than for strictly corporate purposes, and from issuing any bonds excepting as hereinafter provided.

SEC. 20. *Be it further enacted*, That, from and after the passage of this act, it shall be lawful for the city of Jellico to issue coupon bonds in the manner and under the restrictions hereinafter provided, not to exceed in the aggregate a sum which, taken with any debt of the corporation then existing and not provided for by prior assessment of taxes, shall equal ten per cent. of the value of the property subject to taxation by the corporation, as shown by assessment next preceding the submission of the question of issuance of bonds to qualified voters, as hereinafter required; *Provided*, Said bonds or their proceeds shall be used solely for improving the streets, avenues, and alleys, providing school buildings, fixtures, and school, park, and other corporate purposes.

May issue bond;  
amount; object.

SEC. 21. *Be it further enacted*, That all bonds so issued shall be of such denomination, bear such rate of interest (not exceeding six per cent. per annum), and be due at such time, not less than five nor more than thirty years from date, and be payable at such times and places as the common council may determine; *Provided, however*, That all such bonds shall bear the same rate of interest.

Denomination,  
interest, maturity.

SEC. 22. *Be it further enacted*, That the bonds thus provided for shall, in no case, be sold for less than par for all taxes and dues to the corporation, except a "sinking fund tax," provided for by the following section, and the school-tax.

Not sold below  
par.

SEC. 23. *Be it further enacted*, That before any bonds shall be issued under the foregoing provisions, the corporation shall provide, by ordinance, for a sinking fund, wherewith to retire the bonds, by levying a special tax, same to be designated the "sinking fund tax," the tax to run with the bonds, and be collected annually and used exclusively for the purposes levied, and to be sufficient, with its accumulations, as near as may be estimated, to meet or retire the principal indebtedness by its maturity.

Sinking fund  
tax.

SEC. 24. *Be it further enacted*, That said corporation, through its council, before issuing the bonds, shall elect three persons (citizens) as sinking fund commissioners, who shall be first so elected that one of said commissioners shall be elected for one year, one for

Sinking fund  
commissioners.

two years, and one for three years; and every year thereafter, one shall be elected to serve three years, so as to keep the number of commissioners at three at all times.

Oath and bond. SEC. 25. *Be it further enacted*, That said commissioners shall take an oath faithfully to discharge their duties, and give bond, under such penalty and conditions and serve for such compensation as may be provided by ordinance.

Redemption of bonds. SEC. 26. *Be it further enacted*, That such commissioners shall receive sinking fund taxes and invest same from time to time in the bonds of the corporation, if any are redeemable, or securities, to be approved by the council, until bonds become redeemable, and settle their accounts as may be required by ordinance; *Provided, however*, That, when any bond is purchased or redeemed, it shall be canceled or destroyed in the presence of the council, and record be kept of same.

Election as to issuance. SEC. 27. *Be it further enacted*, That the said bonds shall not be issued unless so authorized by two-thirds of the votes cast by qualified voters voting at an election to be held by order of board of mayor and aldermen, at any time and as many times as the mayor and aldermen may deem necessary.

First election for mayor and aldermen. SEC. 28. *Be it further enacted*, That the first election for mayor and aldermen under this act shall be held by the marshal or chief of police of the city of Jellico, on the first Saturday of January, 1894.

Officers hold until successors qualified; ordinances—how long in force. SEC. 29. *Be it further enacted*, That the board of mayor and aldermen, being in office at passage of this act, shall hold their office until their successors are elected and qualified under this act, and all laws and ordinances of said corporation now in force shall remain in force under this act until modified, repealed, or vacated.

Evidence—this act and ordinances are, when. SEC. 30. *Be it further enacted*, That this act is declared to be a public law, and may be read in evidence in all courts of law and equity, and all ordinances and resolutions and proceedings of the board of mayor and aldermen may be proved by the seal of the corporation, attested by the recorder; and, when printed and published by the authority of the council, the same shall be received as evidence in all courts and places without further proof, when certified by the recorder.

SEC. 31. *Be it further enacted*, That all laws or parts

of laws applying or relating to charter and powers of corporations of Jellico in conflict with the provisions of this act or charter hereby granted, are hereby repealed.

SEC. 32. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 186.

AN ACT to compile the several acts incorporating the city of Columbia into one act and to amend the same, and to repeal all acts in conflict with this act, abolishing the board of supervisors, and creating the offices of recorder and city marshal.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the several acts and parts of the same heretofore passed incorporating the city of Columbia, as herein compiled and codified and amended, shall be, and are hereby, declared and designated the charter of the city of Columbia. Charter.

SEC. 2. *Be it further enacted*, That the inhabitants of the city of Columbia, in the county of Maury, as the same extends and is laid out, are hereby constituted a corporation and body-politic, by the name and style of the Mayor and Aldermen of the city of Columbia, and by the same name shall have perpetual succession; shall sue and be sued, plead and be impleaded in all courts of law and equity, and in all actions whatever; may purchase, receive, and hold property, real and personal, within said city, and may sell, lease, and dispose of the same for the benefit of said city; and may purchase, receive, and hold property, real and personal, beyond the limits of said city, to be used for the burial of the dead, for the erection of water-works, for the establishment of hospitals, for a poor-house, Name and style;  
general powers.

work-house, or house of correction, and may sell, lease, or dispose of said property for the benefit of the city; and do all other acts touching the same as natural persons; they shall have and use a common seal, and change it at pleasure.

Boundary.

SEC. 3. *Be it further enacted*, That the boundaries of said city be and continue to be, until otherwise provided, the same as they are now, according to acts heretofore passed and as now recognized.

Board of aldermen; quorum.

SEC. 4. *Be it further enacted*, That the legislative and other powers of said city shall be exercised by the board of mayor and aldermen elected under the provisions of this act, over whose meetings the mayor shall serve as presiding officer, and cast the deciding vote where there is a tie. A majority of all the aldermen shall constitute a quorum, for the transaction of business.

Mayor *pro tem*.

In the event the mayor shall be temporarily absent, the board of aldermen shall elect one of their own number to preside over the deliberations of the body, in which event one more than a quorum shall be present. In the event of the death of the mayor, or should his office become vacant by removal from the city, or resignation or impeachment, or other cause, then the board shall proceed, at the first regular meeting thereafter, to elect one of their number as mayor; to fill his unexpired term, and the board shall then elect some other person eligible to the place to fill the vacancy thus occasioned for the unexpired term. The board shall be composed of the mayor and two aldermen from each ward, to be elected for two years, at a general election of the qualified voters of the city at large. If, at such general election, there should be a tie vote between the candidates receiving the highest number of votes for mayor or aldermen, the tie shall be decided by a majority vote of the board of aldermen at the first regular meeting. No person

Vacancy in office of mayor.

Board—of whom composed; election.

Who eligible to office of mayor or alderman.

Two aldermen for each ward.

shall be eligible to the office of mayor or alderman, unless he is, and has been, a resident of said city for at least two years immediately prior to the date of his election, and is the owner of a taxable freehold in said city, and a citizen of Tennessee, and should either cease, the office becomes vacant. At the election, as hereinafter provided, there shall be elected a mayor for said city, and two aldermen for each ward, to serve for the period of two years, and biennially thereafter, to fill the vacancy by the expiration of terms.

SEC. 5. *Be it further enacted,* That the mayor and Oath.  
aldermen, before entering upon their duties, shall take  
an oath that they will honestly and faithfully dis-  
charge the duties of their office without partiality,  
favor, or affection.

SEC. 6. *Be it further enacted,* That the board, in ses- Board the judge  
sion, shall judge of the qualification, election, and of election, etc.,  
returns of the members of the board, and shall pre- of members;  
scribe rules for the determination of contested elec- rules of proceed-  
tions. It shall prescribe its own rules of proceeding, ing; expulsion  
the punishment of its members for malfeasance, mis- of members.  
feasance, nonfeasance, drunkenness, or any miscon-  
duct in office, and enforce the same. Two-thirds of  
the remaining members of the board, present and  
voting to concur, may expel a member for such mis-  
feasance, malfeasance, nonfeasance, drunkenness, mis-  
conduct, which vacancy can be filled as provided in  
other cases. A less number than a majority can ad-  
journ from day to day; and, under the provisions of  
ordinances, may compel the attendance of absent  
members by fines and penalties. For all investiga- Investigation of  
tions of charges against its members or other officers, charges.  
or such matters pertaining to the affairs of the city, the  
mayor shall, at the discretion of the board, issue sub-  
pœnas and compulsory process to compel the attend-  
ance of witnesses and the production of books and  
papers. The board of mayor and aldermen shall hold Stated meetings  
its meetings at such times as it may determine, not  
more than two regular stated meetings per month.

SEC. 7. *Be it further enacted,* That, at the first regular Recorder and  
meeting of the board of mayor and aldermen pro- marshal—elec-  
vided for in this act, it shall be their duty to elect a tion of; who  
recorder and a city marshal for the city of Columbia, eligible.  
who shall serve for a term of one year from the date  
of said election. At the end of said term of one  
year, said board shall again elect a recorder and city  
marshal for said city, to serve for a period of two  
years, or until their successors are elected and quali-  
fied; and, at the end of each succeeding two years  
from said last-mentioned election, said board shall  
elect a recorder and a city marshal to serve for the next  
ensuing two years, or until their successors are elected  
and qualified. No person shall be eligible to either  
the office of recorder or city marshal who has not  
been a resident of said city for a period of two years  
immediately preceding his election. In said election  
the majority of the whole board will be required in

Purchasing agent.

order to elect. The board shall also, by ordinance, designate some one of the city officials to act as purchasing agent for said city.

City court—jurisdiction; in competency of recorder.

SEC. 8. *Be it further enacted*, That a court is hereby established, to be known as the city court, which shall be presided over by the recorder, who shall have concurrent jurisdiction with the justices of the peace in all violations of the criminal laws of the state. He shall try all offenses created by this act, or any lawful ordinance of the city, and impose fines and penalties, and enforce the collection and payment of the same, or commit to the work-house. In case he is incompetent to try any such offenders, or be sick or absent, then the mayor shall designate some justice of the peace to try such cases. The officer trying such case shall be entitled to a fee of one dollar and such other costs as justices of the peace are entitled to for like services, which shall be taxed up with the bill of cost and fines.

Fee.

Recorder to issue licenses—fees; record of licenses.

SEC. 9. *Be it further enacted*, That the recorder shall issue all licenses for privileges and collect all the privilege and *ad valorem* taxes growing out thereof, and place the same in the city treasury, for which he shall collect one dollar, fifty cents of which shall go to the recorder for issuing and fifty cents to the mayor for countersigning and keeping a record of such license; and the mayor shall, under no circumstances, countersign until the same is fully made out. The recorder shall keep the minutes of the board of mayor and aldermen, and shall make monthly reports of all receivable and payable warrants, showing from what source received and on what account disbursed, duplicates of all of which warrants so marked and numbered shall be kept in a well-bound book, and not detached; and no sum whatever shall be paid out of the city treasury, either for salaries or otherwise, until the same has been audited and appropriated by the board of mayor and aldermen by entries on the minutes in regular meetings, and payable warrants issued therefor by the recorder and countersigned by the mayor. A violation of this section is hereby declared a misdemeanor, subjecting the offender to a fine of not more than fifty dollars and impeachment.

Recorder to keep minutes of board; monthly financial report

Payment of money.

Penalty.

Recorder to collect taxes—commission.

SEC. 10. *Be it further enacted*, That the recorder shall collect all the taxes and money of said city assessed upon property, and place the same in the city treasury, and upon the amount so received by him he

shall receive one per cent. commission. He is also hereby vested with the powers conferred by law on the collector of the state and county taxes; and lands shall be condemned and sold for failure to pay taxes, in accordance with the laws of the state for state and county purposes, and the board of mayor and aldermen may, by ordinance, prescribe the mode and manner of collecting delinquent or back taxes.

SEC. 11. *Be it further enacted*, That the recorder shall act as treasurer of the city, and shall receive and hold all the money of the city, subject to be paid out only on the warrant of the recorder, countersigned by the mayor, when the same has been directed or appropriated by the board of mayor and aldermen, and upon the amount so paid out by him he shall receive one per cent. commission. The form, modes of issuance, and preservation of all such warrants shall be regulated by ordinance of the mayor and aldermen. He shall keep a book showing receipts, from what source, and the disbursements, and make monthly reports to the mayor and aldermen of the state of the city's financial condition, and accompany each report with all warrants paid in the meantime, duly stamped.

Recorder to act  
as treasurer—  
duties.

Monthly  
financial report

Marshal—  
duties.

Assess property.

Board of equal-  
ization.

Salaries.

SEC. 12. *Be it further enacted*, That the city marshal shall be chief of the fire department of said city, and chief of the police, and shall be street overseer, and have general supervision of the streets and alleys and pavements and public works of said city, subject to the orders and control of the board. He shall also assess all property for taxation, as may be provided for by ordinance, and shall make a permanent record of the same in a suitable book to be provided for the purpose, and when said assessment shall have been completed, the same shall be submitted to and passed upon by a commission, composed of four resident freeholders, one from each ward of said city, to be chosen by the board of mayor and aldermen, who, with the city marshal, shall act as a board of equalization, and shall hear all complaint in regard to erroneous or excessive assessments, and adjust the same under such regulations as the board of mayor and aldermen may prescribe.

SEC. 13. *Be it further enacted*, That the mayor shall receive a salary of not more than \$200, and perquisites of his office. The recorder shall receive the perquisites of his office, and no salary, and the city marshal a salary of not more than \$1,000 per annum, the amount

Misdemeanor to  
accept or vote  
other compen-  
sation.

of which to be fixed by the board, and no perquisites; and on no account, cause, or pretense whatever, shall be paid out of the city treasury, for their services, any other sum whatever, and the aldermen of said city shall receive no compensation. The compensation of the mayor, city marshal, and all other officers, except the recorder, shall be fixed by the board of mayor and aldermen, at the first regular meeting after their election, which shall not be increased or diminished during their continuance in office; and it is hereby declared a misdemeanor in office indictable in the circuit court, to be punished by a fine of \$100, one-half to go to the city treasury, for the mayor, alderman, recorder, city marshal, or any other officer, to accept, directly or indirectly, or to vote to himself or associate any fee or compensation whatever in addition to the compensation herein provided, and the offender, upon conviction, shall be liable to dismissal from office, and, if a bonded officer, shall be liable in his bond for any such excess, and any interest so taken, directly or indirectly.

Special powers.

SEC. 14. *Be it further enacted*, That the mayor and aldermen shall have power, by ordinance, within the city—

1. To levy and collect taxes upon all property taxable by law for state purposes, being in the bounds of said corporation, as it is now, or may hereafter extend, whether improved or unimproved.

2. To levy and collect taxes upon all privileges and polls taxable by the laws of the state.

3. To appropriate money and provide for the payment of the debts and expenses of the city in the manner hereinafter provided.

4. To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws for the purpose, and enforce the same within ten miles of the city.

5. To establish hospitals, and make regulations for the government thereof.

6. To establish a system of free schools, and regulate the same so as to avoid sectarian influences.

7. To make regulations to secure the health of the inhabitants, and to prevent and remove nuisances.

8. To provide the city with water-works within or beyond the boundaries of the city.

9. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, and keep in



repair streets, alleys, and sidewalks, or to have the same done, as hereinafter provided.

10. To establish and keep in repair bridges, culverts, sewers, and gutters.

11. To provide for lighting the streets.

12. To erect market-houses, establish markets, and regulate the same.

13. To provide for the erection of all buildings necessary for the use of the city.

14. To provide for the inclosing, improving, and regulating all public grounds belonging to the city in or out of the corporation limits.

15. To license, regulate, and tax auctioneers, grocers, merchants, retailers, taverns, brokers, coffee-houses, confectioners, retailers of liquor, hawkers, peddlers, livery, feed, and sale stables, and "hitch-yards," keepers of Jenny Lind and billiard-tables and ten-pin alleys.

16. To license, tax, and regulate hackney-carriages, carts, drays, omnibuses, wagons, etc., and to fix the rate to be charged for the carriage of persons and of property within the city, and to public works and property pertaining to the city.

17. To license, tax, and regulate porters, and to fix the rate of portage.

18. To license, tax, and regulate and suppress theatrical and other exhibitions, shows, or amusements.

19. To regulate, or prohibit and suppress disorderly or bawdy houses, and houses of ill fame.

20. To provide for the prevention or extinguishment of fires; to organize, establish, and regulate fire companies; to regulate, restrain, or prohibit the erection of wooden or brick buildings in any part of the city; to regulate and prevent the carrying on of manufactories dangerous in causing or producing fires.

21. To regulate the storage of gun-powder, tar, pitch, resin, saltpeter, gun-cotton, and all other combustible material, and the use of lights, candles, and stove-pipes in all stables, shops, and other places.

22. To establish standard weights and measures to be used in the city in all cases not otherwise provided for by law.

23. To provide for the inspection and measuring of lumber and other building material.

24. To provide for the inspection and weighing of stone, coal, wood, and other fuel; hay, corn, and other grain.

25. To provide for and regulate the inspection of beef, pork, flour, meal, oils, whisky, and other spirits in barrels, hogsheds, or other vessels.

26. To regulate the inspection of butter, lard, and other provisions; to regulate the vending of meat, poultry, fish, and other eatables; to prevent and punish forestalling of provisions, and to suppress hucksters.

27. To regulate the police of the city; to impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for their recovery and appropriation.

28. To provide for the arrest and confinement, until trial, of all riotous and disorderly persons within the assemblies, in any street, house, or place in the city, by day or night; to authorize the detention of all suspicious persons found violating any ordinances of the city.

29. To prevent and punish, by pecuniary penalty, all breaches of the peace, noise, disturbances, or disorderly assemblies in any street, house, or place in the city by day or night.

30. To fix from time to time the numbers and boundaries of the wards of the city.

31. To prevent and remove all encroachments into, and upon, the public squares, streets, lanes, avenues, and alleys established by law or ordinance, and remove all obstructions from the public square, streets, lanes, alleys, sidewalks, etc.

32. To regulate and provide for the construction and repair of sidewalks and foot pavements, and if the owners or owner of any lot shall fail to comply with the provisions of any ordinance requiring such owners to build or repair sidewalks after due notice, the city may build the same, through the agency of the city marshal, and the city shall pay for the same, and the amount so paid shall be a lien on said lot or lots, which may be enforced in any court of competent jurisdiction, under proper proceedings brought in the name of the mayor and aldermen. But no ordinance ordering the building of such pavement or repairs shall be made until the city has first caused to be built and put down, at its expense, a good and substantial curbing of stone, cut of uniform height and size, along the outer edge of said intended pavement; to grant the right of way through the streets and squares of said city for purposes of street railway and other

improvements, and may institute such proceedings as are authorized by law to condemn and appropriate ground for the use of said city to widen or extend its streets.

33. To contract for the loan of any sum or sums of money on such terms as they can borrow the same, and to pledge themselves in their corporate capacity, their successors in office, and the faith of said corporation, for the payment of the principal and interest of any sum of moneys borrowed, in the time and manner specified in the contract.

34. To pass all ordinances not contrary to the constitution and laws of the state that may be necessary to carry out the full intent and meaning of this act, and to accomplish the object of this incorporation.

35. To erect and organize a work-house in or near said city, and any person who shall fail or neglect to pay any fine or cost imposed on him or her by any ordinance of said city, shall be committed to the work-house until such fine and cost be fully paid. Every person committed to the work-house shall be required to work for the city at such labor as his health and strength will permit, within or without said work-house, not exceeding ten hours each day, and for such work and labor the person so employed shall be allowed, exclusive of board, a credit upon such fine and cost of not less than fifty cents per day until the whole is discharged, when they shall be released; *Provided*, That no person shall be compelled to work longer than ninety days for any offense.

SEC. 15. *Be it further enacted*, That it shall be the duty of the mayor to carefully examine all bills passed before affixing his signature, and should any such not meet his approval, he shall, at the next regular meeting of the board, return the same, with his objections in writing; and no ordinance or resolution so vetoed shall go into effect unless the same be again passed by a majority of the entire board. No bill shall become a law unless the same shall have passed three several readings by a majority vote, and until the same has been signed by the mayor, or unless he fail to veto the same by the next regular meeting. The mayor shall make temporary appointments to fill vacancies occasioned by sickness, absence, or other disability of any city officer; likewise he may make temporary suspensions of officers and policemen for misconduct or inefficiency, but he shall report the same to the next

Mayor—duties  
as to passage of  
bills; veto.

Temporary ap-  
pointments and  
suspensions.

regular meeting of the board, who shall have the power to dismiss such officer or policeman by a majority of said board voting to concur in such dismissal, and any such officer or policeman relieved from office under this act shall be ineligible to hold any office under the city government for a period of one year thereafter. He shall call special meetings of the board of aldermen, when, in his judgment, the good of the city requires it, and he shall state to them, in writing, the purpose of such meeting; which, together with the actions of the board, shall be spread in the minutes of the meeting in the regular minute book, and signed by him. The mayor shall, when ordered by the board, advertise for bids for work, contracts, and supplies either for city or school purposes, said bid or contract to be submitted to and ratified by the board before they shall have a binding effect. He shall, every three months, or oftener, should he be required by resolution of the board, cause to be presented to the board of aldermen a full, true, and complete statement of the financial condition of the city, which, if accepted, shall be, by the recorder of the board, spread on the minutes of that meeting and published in one of the city papers. Any neglect or violation of any provision of this section is hereby declared a misdemeanor, subject to indictment in the circuit court, and, upon conviction, the offender shall be punished by fine of not less than twenty-five nor more than fifty dollars, one-half of which to be paid, when collected, into the city treasury. The mayor shall, from time to time communicate to the board of aldermen such information and recommend such measures as may, in his judgment, tend to the improvement of the financial and general welfare and interest of the city. He shall take care that all ordinances are duly respected and observed, and perform such other duties as may, by ordinance of the board of aldermen, be required of him. He shall have power to bid in property for the city at all tax and judicial sales when the city is a party.

**Special meetings of board.**

**Advertise for bids.**

**Financial statement.**

**Penalty.**

**Messages to board.**

**Enforce ordinances.**

**First general election; qualifications of voters.**

SEC. 16. *Be it further enacted,* That the first general election of mayor and aldermen under this act shall be held on the third Tuesday in November, 1893, and the new administration shall be sworn in on the Friday following the election. The voters shall vote by ballot at such general election, and any person entitled to vote for members of the general assembly

under the laws of Tennessee, and who has been a resident of the city for six months preceding the election, shall be entitled to vote and have his vote counted in said election. Non-residents having a taxable freehold in said city, and being qualified a voter of the state, shall also be entitled to a vote.

SEC. 17. *Be it further enacted,* That the judges and clerks and officers of such election shall be appointed by the board of aldermen, and shall take an oath to faithfully and fairly discharge their duties. They shall open the polls, conduct the election, and close the same, and count out the votes in such manner as is provided by the election laws of the state; and they shall certify the result thereof to the mayor and the recorder, each a copy authenticated by the judges and clerks. The ballots shall be received and the voter's name entered and numbered on the poll-list, and the ballot deposited; and after the ballots are counted out they shall be preserved, replaced in the ballot-box, and delivered to the recorder, who shall hold the same, subject alone to the inspection of the board of aldermen, or court, in case of a contest; and in event of no contest, he shall destroy the same when the board shall order, at any time after thirty days. Upon the returns being certified to the mayor, he shall present them to the outgoing administration at the next meeting, which shall be Friday after the general election, when the same shall be publicly canvassed and the result declared, and install the new board; but in case of contest, the same shall be decided as in Section 6.

Officers of election—duties.

Method of voting; recorder to have custody of ballots.

Vote canvassed.

SEC. 18. *Be it further enacted,* That no member of the board of mayor and aldermen, recorder, or city marshal, shall be eligible to any other office or place of employment in the service of the city during the time for which he was elected, nor shall they be, directly or indirectly, interested in any contract whatever in which the city is concerned, and a violation of this section is hereby declared a misdemeanor, and shall subject the offender to impeachment.

City officers shall not be eligible to other offices nor interested in contracts, penalty.

SEC. 19. *Be it further enacted,* That should a vacancy occur in the office of mayor, alderman, recorder, or city marshal, by death, resignation, or otherwise, leaving an unexpired term, the aldermen shall fill the vacancy by election for the unexpired term.

Vacancy—how filled.

SEC. 20. *Be it further enacted,* That any officer may be removed from office for incompetency, inefficiency,

Removal from office.

or neglect of duty, drunkenness, or other misconduct, by a majority of the board of aldermen.

Oath and bond.

SEC. 21. *Be it further enacted*, That all officers, when elected, before entering upon the discharge of their duties, shall take an oath to faithfully perform their duties; that all officers shall give bond in such sums as may be required by the board of mayor and aldermen, such bond to be made payable to the state of Tennessee, for the use of the board of mayor and aldermen of Columbia, to be approved by the board of mayor and aldermen, conditioned that they will faithfully and diligently discharge all of the duties of their respective offices, and pay over all moneys and other property which may come to their hands according to the provisions of this charter and such ordinances as the mayor and aldermen may, from time to time, enact pertaining to their offices; such bond shall be spread on the minutes of the mayor and aldermen, and the originals of said bond filed with the mayor, and said bond shall be renewed annually, or oftener, at the discretion of the board of mayor and aldermen, a failure to do which vacates the office.

Annual estimate of expenses.

SEC. 22. *Be it further enacted*, That the board of mayor and aldermen shall, annually, at the beginning of each fiscal year, make estimates of amount of taxes and money to be received in the city treasury for city purposes for the ensuing year, and on no account shall expenditures exceed the amount to be received according to said estimate, except in extraordinary cases.

Board to appoint necessary police, etc.

SEC. 23. *Be it further enacted*, That the board of mayor and aldermen shall appoint all necessary policemen, and shall appoint such officers, agents, and employes as may be necessary to execute the laws, and to direct and carry out the intent of this act.

Mayor shall not remit or pardon —exception; penalty.

SEC. 24. *Be it further enacted*, That the mayor shall have no power or authority whatever to remit, in whole or in part, or suspend, or in any manner interfere with the enforcement of any fine or penalty imposed by the city court upon offenders; *Provided, however*, Upon petition of a majority of the aldermen, the mayor may remit, suspend, or pardon such offender upon paying or securing the city from cost. A violation of this section is hereby declared a misdemeanor, subjecting the offender to a fine of \$50, on conviction before the city court, and impeachment.

SEC. 25. *Be it further enacted*, That the city shall

pay all cost of elections for municipal purposes, including the cost of registration for said elections.

Municipal election—city to pay cost.

SEC. 26. *Be it further enacted*, That the regular appointed police are empowered to execute state warrants and other process which constables generally have the power to execute, and execute all process issued by the city court, for which, cost may be taxed as in case of constables, under the general law; and such policemen shall receive no salary or compensation whatever out of the city treasury other than such as may be fixed by the board of mayor and aldermen; and such salary shall be paid only by payable warrants ordered by the board of mayor and aldermen; and, likewise, as to the employment and compensation of other officers and agents.

Police to execute warrants; salary.

SEC. 27. *Be it further enacted*, That all laws and parts of laws heretofore enacted incorporating the city of Columbia, and amendatory thereto, and which are in conflict with this act, are hereby repealed; and it is declared to be the purpose of this act to abolish all authority creating a board of supervisors, and to restore the authority of the board of mayor and aldermen as it existed prior to the passage of the act of March 17, 1891, except as herein amended; *Provided*, That the present board of mayor and aldermen shall continue in office until their successors are elected and qualified, and the present board of supervisors of said city shall continue in office and exercise and perform all the duties thereof until the first general election provided for in section sixteen of this act, when the powers of said board of supervisors shall cease; *And provided further*, That all ordinances and resolutions heretofore enacted by the mayor and aldermen of said city, not in conflict with this charter, and not repealed nor rescinded by them, shall be and remain in full force and effect until altered, modified, or repealed by this act.

Board of supervisors abolished

SEC. 28. *Be it further enacted*, That this act is declared to be a public law, and may be read in evidence in all courts of law and equity, without special proof or pleading; and all ordinances, resolutions, and proceedings of the city may be proven by the seal of the corporation, attested by the recorder; and, when printed and published, by authority of the city, the same shall be received in all courts and places, without further proof.

Evidence—this act, etc., is, when.

SEC. 29. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 8, 1893.

P. TURNEY,  
*Governor.*

## CHAPTER 187.

AN ACT to amend an act to incorporate the town of Ripley, in Lauderdale County, Tennessee, and various amendments thereto.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act incorporating the town of Ripley, in Lauderdale County, and the various amendments thereto, be, and the same are hereby, so amended as to read as follows:

Name and style;  
boundary.

The town of Ripley, in the county of Lauderdale, and the inhabitants thereof within the boundaries hereinafter specified, are hereby constituted a corporation and body-politic, by the following name and style, to wit: The Mayor and Aldermen of Ripley. The boundaries of said town of Ripley shall be as follows: Beginning at a stake in the west boundary line of the present limits of said corporation, and in the north margin of the Ripley and Fulton road, running thence with said road in a western direction to the south-east corner of T. G. Gause's residence lot; thence north with his east boundary line to a stake; thence in a north-western direction and parallel with said road to a stake due north of B. F. Partee's north-west corner; thence south with his west boundary line to his south-west corner; thence in a south-east direction to the north-east corner of B. W. Burke's lot; thence south with his west line, passing C. C. Partee's north-west corner, and with his west boundary line to J. W. Clarke's north-east corner; thence with Clarke's north boundary line and the north line



of Bennett Williams' one acre lot to his north-west corner; thence with the west boundary line of same to his south-west corner; thence in a south-east direction to the south-east corner of M. W. Gudgen's lot, same being the south-east corner of J. W. Wardlaw's 115 acre tract; thence with said Wardlaw's east boundary line 615 feet to J. H. Wardlaw's north-west corner; thence in a south-east direction to the south-east corner of W. F. Wardlaw's lot, a stake in the Bryant's Ferry road; thence east with the south boundary line of J. N. Wardlaw's Wickersham lot, passing his south-east corner and the south-west corner of the Lauderdale Institute lot, and running with the south boundary line of said institute lot to the south-east corner of same; thence north with the east boundary line of said institute lot to a stake 63 feet south of the north-east corner of same, and two poles due west of J. C. Marley's south-west corner; thence south 82 degrees east with Marley's north boundary line, passing his south-east corner, also passing the south-west corner of P. H. Pugh, and running with his south boundary line, passing his south-east corner and the south-west corner of J. L. Holmes, and running with said Holmes' south boundary line 200 feet to a large white oak tree; thence south 25 degrees east to a stake in the north boundary line of the twelve-acre tract bought by B. C. Durham of B. J. Hart, which stake is 140 feet west of the north-east corner of said twelve-acre tract; thence north 85 degrees east to a black gum marked with a cross, and with mistletoe in the top, which tree is a short distance east of J. A. Johnston's horse lot; thence north 24 degrees east to a cedar tree in A. B. Heaming's yard, a little east of his dwelling; thence north 15 degrees east to the north-east corner of A. B. Heaming's yard fence; thence north 35 degrees west to West White's south-east corner; thence north 10 degrees east to Amanda Smith's north-west corner on Water Street; thence north 25 degrees east to D. A. Klutts' wood-house in said Klutts' garden; thence north to the north-west corner of J. M. Mamp's yard fence; thence north 40 degrees west to the north-east corner of the old corporation line, near W. H. Mahan's house; thence west with the old corporation line to the north-west corner of same; thence south with the south boundary line of same to the beginning.

Hold property.

SEC. 2. *Be it further enacted*, That said corporation, by such name and style, shall have perpetual succession; shall sue and be sued, plead and be impleaded in all courts of law and equity, and in all actions whatever; may purchase, receive and hold personal and real property within the corporation limits, and may purchase, receive, and hold both real and personal property within or beyond said corporate limits to be used for the burial of the dead, for the erection and keeping up hospital houses, quarantine houses or stations, work-houses or houses of correction, and water-works, and may sell, lease, or dispose of all said property for the benefit of the corporation, but the sale of property shall be done at public auction; and may do all other things touching said property as natural persons; and shall have and use a common seal, which may be changed at the pleasure of the board of mayor and aldermen.

Board of aldermen.

SEC. 3. *Be it further enacted*, That the legislative body of the corporation shall consist of a board of seven aldermen, one of whom shall be elected and known as mayor, and all of whom shall be elected by a direct vote of the people, and shall be citizens of and voters in said corporation, and shall be freeholders, and, as the legislative body of the town, shall be known as the Mayor and Aldermen of Ripley. A removal by the mayor or any aldermen beyond the corporate limits will create a vacancy in his office.

Election for mayor and aldermen.

SEC. 4. *Be it further enacted*, That the next election for mayor and aldermen shall be held at the court house in the town of Ripley on the first Thursday in April, 1894, and the mayor and aldermen elected at said time shall serve for a period of two years, and thereafter on the first Thursday in April there shall be an election held for the purpose of electing a mayor and aldermen for said town to serve for the ensuing two years, it being the intention of this act to provide for the election of a mayor and aldermen for said town once every two years. The polls shall be opened on the day of the election at 10 o'clock A.M., and closed at 4 o'clock P.M., of that day. Said election shall be held by the sheriff of Lauderdale County, either in person or by deputy, assisted by two clerks and three judges, after advertising by written or printed posters for ten days, showing the time, place, and purpose of the election. The clerks and judges shall be legal voters of said corporation. The voting shall be by bal-

By whom held.

Clerks and judges; how election conducted.

lot, and the election shall be conducted in all respects as are the state and county elections, by virtue of the election laws of this state, so far as said laws may be made applicable; but the board of mayor and aldermen may, by ordinance, make any further and additional provisions that may be found necessary to properly prepare for and conduct said election. The judges and clerks shall be sworn and qualified as provided by the election laws of this state, and shall perform the similar duties of judges and clerks in state and county elections, and after the votes are counted and their result ascertained, the officers holding said election shall file the poll-lists and other papers showing the result of said election, properly certified, with the recorder, who shall preserve them. If the sheriff fail to hold said election at the time herein mentioned, it shall be his duty to hold it as soon thereafter as may be, after giving the required notice, and for failure to hold said election as prescribed by this act, unless prevented by sickness or other unavoidable cause, the sheriff shall forfeit and pay to the said corporation the sum of fifty dollars, to be recovered by action of debt in the name of the Mayor and Aldermen of Ripley, before any justice of the peace of the county; and if there be no sheriff, or if no notices have been posted by him on the tenth day before the day of the regular election, or if no notices have been posted by him, but he is not present himself, or deputy, on the day of said election, then, in either of said events, the coroner or some person who may be appointed by the board of mayor and aldermen, shall perform all the duties in and about said election required of the sheriff.

Duties of judges and clerks.

Failure to hold; penalty.

Who to hold in default of sheriff.

SEC. 5. *Be it further enacted*, That the person receiving the highest number of votes for mayor shall be declared mayor of said corporation, and shall also be one of the aldermen; and the six persons receiving a higher number of votes each for alderman than any other person for alderman, shall be declared elected aldermen; and it shall be the duty of the officer holding said election to make out and deliver, within three days, to the mayor and aldermen-elect, each, a certificate of their election. On the first Monday after said election the retiring board of mayor and aldermen shall hold their last meeting, or as soon thereafter as practicable, and pass all necessary resolutions and make all such rules and regulations as may be neces-

Majority vote elects; certificate.

Last meeting of old board—when held.

New board  
installed.

sary to properly turn over their trusts to the incoming board, and to secure the turning over of all books, papers, moneys, and property in their possession, or that of any of their officers, agents, or appointees, to the proper officers of the new administration. At said meeting the mayor and aldermen-elect, or so many as are present, shall present their certificates of election, and be sworn in before some justice of the peace, which facts shall appear on the minutes of the retiring board, and then the term of the new board shall begin. An officer-elect not presenting his certificate at said meeting may do so at the next regular or called meeting of the new board, and be sworn in; but on failure to do so, the board may declare his office vacant, and proceed to fill the same.

Recorder, treasurer and  
marshal to be  
elected.

SEC. 6. *Be it further enacted*, That the board of mayor and aldermen shall, at their first meeting after their election, or as soon thereafter as practicable, elect a recorder, a treasurer, and city marshal, the recorder and treasurer to be elected from among the members of the board, and one person may be elected to fill both offices of recorder and treasurer; but he shall give both a recorder's and treasurer's bond. Said board may also elect, at any time, such other officers, agents, and servants as they may deem necessary, and may provide for by ordinance, and shall have the power to prescribe their duties and regulate the performance thereof. The salary of the recorder, treasurer, city marshal, and the other said officers, agents, and servants, shall be fixed by the board before their election or appointment; and the board shall have the power to dismiss any one of them from office for any neglect of duty or any other cause, two-thirds of the board concurring in such dismissal. The board shall also, at one of its meetings in December of each year, fix the salaries of the mayor and aldermen for the ensuing corporate year, which shall not be changed, unless two-thirds of the new board concur in said change.

Salaries.

Dismissal for  
cause.

Salaries of  
mayor and  
aldermen.

Quorum; pas-  
sage of ordi-  
nances, etc.

SEC. 7. *Be it further enacted*, That a majority of the board of mayor and aldermen shall be a quorum to do business, but no ordinance, resolution, or other act of the board shall be passed or become effective unless it receives a majority of the votes of the whole board in its favor; *Provided, however*, That a smaller number than a quorum may adjourn from day to day, under a provision of an ordinance, and may compel

the attendance of absent members, by fines and penalties. The board shall be the judge of the qualifications, elections, and returns of its own members, and shall prescribe rules for the determination of contested elections, and in case of a tie vote or contest in the election for alderman, the board shall determine who shall be seated. In the case of a tie vote in the election for mayor, the aldermen-elect shall meet and organize by electing one of their number mayor *pro tempore*, who shall, for the time being, perform all the duties and be subject to all the liabilities of the regular mayor; and the board shall refer the election of a mayor back to a vote of the people as soon as practicable. In case of a contest in the election of mayor on any other grounds than that of a tie vote, the board shall, after organizing and electing a mayor *pro tempore*, as above, decide as soon as practicable who is entitled to the office. The board may determine its own rules of proceeding, and prescribe the punishment of its members for non-attendance, disorderly or other improper conduct, and enforce the same; two-thirds of the board concurring, may expel a member for such conduct. To enable the board to fully investigate charges against its own members or officers or other proper matters, the mayor or recorder, at the request of the board, is hereby empowered to issue subpoenas and compulsory process to compel the attendance of persons and production of books and papers before the board or any committee of the same. Any person may prefer charges against the mayor for misfeasance, malfeasance, or nonfeasance in office, and he may be tried by the remaining members of the board, and, two-thirds of them concurring, he may be removed from office. Vacancies in the office of mayor or aldermen or other offices herein authorized, whether occurring by death, resignation, removal, or otherwise, shall be filled by the board. In the absence of the mayor at any of its meetings, the board may elect a mayor or presiding officer *pro tempore*. No person shall be eligible to the office of alderman who is not a resident of, and legal voter in, said corporation elections. The regular stated meetings of the board shall be held at such times as it may determine, not exceeding two per month, but special meetings may be held at any time, upon the call of the mayor. Aldermen shall hold their offices until the next regular election after their induction

Board judge of qualifications etc., as members; tie votes.

Contest in mayoralty election on grounds other than tie.

Rules of proceeding.

Charges against mayor.

Vacancies—how filled; mayor *pro tem*.

Who eligible as aldermen; meetings of board.

Aldermen—term of office; oath.

into office, and until their successors are elected and qualified. Before assuming to discharge the duties of their office, they shall be sworn before some justice of the peace to faithfully discharge all the duties of the office, and to support the constitution of Tennessee and of the United States, and that they have had no contract, agreement, or understanding with any one at any time to vote for any particular person for recorder, treasurer, or marshal, or other office to be filled by said board, without which oath the office shall be vacant, and shall be filled by the board. A full and complete journal or minutes shall be kept of all the proceedings of said board. It shall have power to appoint all necessary standing and special committees, and fix the number of each, the committeemen being appointed by the mayor, unless done by direct order of the board. The character and duties of such committees shall be designated by the board, and their mode of procedure may be directed by it.

Minutes of  
board; com-  
mittees.

Mayor—duties  
and powers.

SEC. 8. *Be it further enacted*, That the mayor shall hold his office until the next regular election after his election or appointment, and until his successor is elected and qualified. No person shall be elected mayor who is not a legal voter in all corporation elections. A vacancy in the office of mayor shall be filled

May fill vacan-  
cies—exception.

as hereinbefore provided for. The mayor may fill vacancies in any office except that of alderman, until the same be filled by the board; and in the absence of any officer, and there is business of said absentee's office deemed by the mayor urgent, he may appoint a *pro tempore* officer to attend to said business, and especially in the absence of the marshal he may verbally appoint *pro tempore* marshals to execute all process, and with or without process to arrest offenders against the corporate laws where the offense is committed in the mayor's presence, or not in his presence, if the mayor deems it necessary to prevent the escape of the party offending. It shall be the duty of the mayor to preside at all meetings of the board, and as a member thereof, take part in its deliberations and vote upon all questions coming up before the same; to take care that all the ordinances are duly enforced and observed; to call special sessions of the board when he may deem it expedient, and perform such other duties as the board may, by ordinance or otherwise, impose upon him. The mayor shall, at least once in every six months, cause to be presented to the board a full

Preside at all  
meetings of  
board, vote, en-  
force ordi-  
nances, etc.

Financial state-  
ment.

and complete statement of the financial condition of the corporation, and shall, from time to time, communicate to the board such information, and recommend such measures as he may deem wise and proper. He shall have power to buy in property at tax and judicial sales where the corporation is an interested party, and may buy property for corporation purposes at public or private sales; *Provided, however,* That the purchase, in any event, must be under a special or general ordinance or resolution of the board. In case of the absence of the mayor, or if, for any reason, he is not present to discharge any duty or business of his office, then the recorder, or any justice of the peace, shall have the jurisdiction and power of said mayor, and may perform all his duties except duties as presiding officer of the board and its meetings, which duties shall be performed by any alderman the board may elect *pro tempore* mayor or presiding officer.

May buy in property at tax sale.

Absence of mayor.

SEC. 9. *Be it further enacted,* That the mayor of said corporation shall have full power and authority to issue any and all process, subpoenas, etc., necessary and proper for the arrest and trial of any person or persons violating any of the ordinances of the corporation, which are made punishable by fine, forfeiture, or penalty. Said process may be issued by the mayor of his own motion, or upon application of the town marshal, his regular or special deputy, or upon the application of any other person, provided said other person makes affidavit that he has good cause to believe that the person to be charged has been guilty of violating a corporate ordinance, naming the offense. Said process shall be known as the corporation warrant, shall be addressed to the town marshal, or any constable, and may be in the form, or as near as may be of a warrant from a justice of the peace in an ordinary action of debt, with an additional clause commanding the officer to take the body of said offending party and have him present at the time and place fixed for trial, and hold him subject to the action of the court. Said warrant shall be immediately executed by the town marshal, or some constable, and duly returned before the mayor, who shall hear and determine the same. Justices of the peace may have this jurisdiction in the absence of a mayor and mayor *pro tempore*.

May issue process.

When issued.

How known and to whom addressed—form.

Immediately executed.

SEC. 10. *Be it further enacted,* That the mayor of said corporation shall have full power and authority

Mayor to try offenders.

to try and punish all persons for any violations of any corporate ordinance which is made punishable by fine, forfeiture, or penalty; and if the party is found guilty the mayor shall immediately fix the amount of the fine, and render judgment therefor on the warrant, and commit the party to jail or work-house if fine is not paid or secured, which judgment shall not be for less than one nor more than fifty dollars. Said

Form of judgment.

judgment may be in the following form, to wit: "In this case I give judgment for plaintiff and against defendant for ——— dollars and cost of suit. Defendant will be confined in the county jail (or work-house) until this judgment and costs are paid or secured, but not longer than three months." This judgment shall be sufficient authority for the marshal or constable to commit said party to jail or to the work-house and hold until the judgment and costs are paid or secured, but in no event longer than three months.

Docket.

The mayor shall keep a docket similar to the docket kept by justices of the peace, and in the same manner, and shall write out all his judgments thereon, giving the date of judgment, name of parties, style of suit, etc., just as required of the justices of the peace of this state. The mayor may issue execution at once on said judgment, unless it is paid or secured by a good, sufficient stay of execution, which may be done by the person offering to stay said execution, writing his name in the presence of the mayor on the docket, in the proper column ruled for that purpose, and the acceptance thereof by the mayor, or authorizing some person, in writing, to sign his name for him as such stayer; and the signing his said name in this way shall have the same binding force and effect on said stayer as is the case in the stay or executions of justice's judgments. Said stay shall be for the period of ten days, at which time execution may issue. When the stay has been received by the mayor the defendant shall be at once released from

Execution—to whom addressed, validity, etc.

confinement. All executions shall be addressed to the town marshal, and shall have the same validity and effect, confer the same power and authority on the marshal or constable, and be subject to the same rules and regulations as executions issued by justices of the peace. The mayor may continue said cases from time to time, on good cause shown, and exercise such other incidental powers in relation to said cases that justices have in civil cases before them.

May continue cases.



He shall also have the power to take from the defendant bond, with good security, in the sum of one hundred dollars, payable to the corporation of Ripley by its corporate name, to wit: "Mayor and Aldermen of Ripley," conditioned to be void if the defendant make his personal appearance before the mayor or officer trying the case at the time and place fixed for trial, and not depart without leave first had and obtained from the court, or, on failure to do so, shall forfeit and pay to the mayor and aldermen of Ripley the said sum of one hundred dollars, otherwise to remain in full force and effect. The mayor may bring suit on said bond before any justice of the peace in the corporate name, and against any one or all of obligors; and any justice of the peace shall have power and jurisdiction to hear and determine the same and render judgment thereon. The mayor shall receive the same fees as justices of the peace for similar services, and shall be paid such salary as may be allowed by the board of mayor and aldermen. The mayor shall have the same jurisdiction and powers that the justices of the peace have as a committing court in the trial of parties for offenses against the criminal and misdemeanor laws of the state.

Bond of defendant.

Suit on hand.

Fees and salary of mayor.

SEC. 11. *Be it further enacted*, That the town marshal shall thoroughly acquaint himself with the laws and ordinances of the town, and rigidly enforce them. He shall have authority without warrant in hand to arrest any person within the corporation limits, or within one mile of the corporate limits, for an offense committed against any corporate ordinance in his presence; and, with warrant in hand, he may execute a warrant against the offending party and arrest him anywhere in the county. The marshal shall execute promptly, and with diligence, all process that may come into his hands, and make due returns of the same within thirty days, showing what he has done; and he shall perform the similar duties required of constables in regard to warrants, executions, and other process by the laws of the state, and be subject to like liabilities as constables are in similar cases by the laws of the state, which liabilities may be enforced in the same way as constables are, and to the same extent. The marshal shall collect all taxes levied by the mayor and aldermen, except the merchant and privilege taxes, and under such rules and regulations as the board may provide. He shall give such bond, and

Marshal to enforce ordinances; authority to arrest.

Execute process.

Collect tax—exception.

Qualifications  
and term.

To whom bond  
payable—condi-  
tions.

Turn over mon-  
ey; fees.

Recorder to  
keep minutes,  
issue license.

Tax-books.

City assessor.

for such an amount, as the board may prescribe, the amount not to be less than double the probable amount of moneys that will come into his hands from all sources during his term of office; but the board may require the amount of the bond to be increased or additional security given at any time, and the marshal shall give it, or his office be vacated. No person shall be elected to the office of marshal unless he is a legal voter and resident in said corporation. He shall hold his office after his election until the next regular election for mayor and aldermen, and until his successor is elected and qualified, but subject always to removal by the board. He shall discharge any and all duties imposed on him by the board. The bond, to be executed by the marshal is to be made payable to the corporation by its corporate name, to wit: "Mayor and Aldermen of Ripley," and shall be conditioned to be void if the said marshal shall truly and fully account for and pay over to the proper parties all corporate funds that may come into his hands, and in all respects to faithfully discharge all the duties required of him by law, or by the board of mayor and aldermen. He shall turn over to the treasurer all corporate funds in his hands at least once every thirty days, or oftener, if the board so directs. The marshal shall be allowed the same fees allowed to constables and sheriffs for similar services, and such other salary and compensation as the board may allow.

SEC. 12. *Be it further enacted,* That the recorder shall keep an accurate minute of all the proceedings of the board of mayor and aldermen, issue all merchant and privilege licenses, and collect taxes on same, and keep a ledger account of the same, as well as any other funds that may come into his hands. He shall make out the city tax books at such times and under such rules and regulations as the board may prescribe, and turn the same over to the marshal for collection at such time as the board may fix. In making out the tax-book, the recorder may take the list of property, the assessed value, etc., from the assessment book of the assessor for the then present or past year of property for state and county taxes, and add any omitted property, and fix the value thereof; but the board may, at any time, elect the recorder, or some other person, a city assessor, whose duty it shall be to assess all property and polls in the corporation for taxation, and enter the same on a suitable assessment

book, and such assessment shall be made under the laws by which said property and polls are assessed for state and county purposes, except as herein otherwise provided. Said assessor shall have all the powers, or such as may be necessary, as are conferred by law on assessors of state and county taxes. From this assessment book, if one be provided, the recorder shall make out the tax-book, and deliver it to the marshal as before provided. Said assessor shall be required by the board to take an oath to faithfully discharge all the duties of his office, or any one of them. The board shall fix the compensation to be paid said assessor for his services. The recorder shall perform such other duties as the board may impose upon him. No person shall be elected to the office of recorder who is not a legal voter in said corporation elections. He shall turn over to the treasurer, at least once every thirty days, all the moneys of the corporation that have come into his hands from any source whatever, taking a receipt for same, and the board may require this to be done oftener if thought necessary. In case the recorder is also treasurer, he shall keep separate books for each office, and any funds that have been in his hands as recorder exceeding thirty days, shall, in any suit on either of his bonds, be presumed to have been paid over to himself as treasurer. The recorder, before entering upon the discharge of his duties, shall execute bond, payable to the mayor and aldermen of Ripley, with good security, in such an amount as the board may prescribe, not to be less than double the probable amount of funds that will come into his hands as recorder, and conditioned to be void only if the recorder shall fully and truly account for and pay over, as may be required by the board and by law, all funds of the corporation that may come into his hands, and to faithfully discharge all other duties required of him by law or by the board. All bonds executed by any officer shall be kept and carefully preserved by the recorder, except such bonds as he may be required to execute as recorder or treasurer, and these shall be kept and preserved by the mayor. The recorder shall be entitled to a fee of fifty cents for each license issued by him, which fee shall be paid by the applicant, and shall have such other salary or compensation as the board may allow.

Oath of assessor;  
compensation.

To turn over  
money to treasurer.

Separate books  
as recorder and  
treasurer.

Bond of recorder.

Who to keep  
bonds.

Fees and salary  
of recorder.

Sec. 13. *Be it further enacted,* That the treasurer

- Treasurer to receive money.** shall receive from the marshal, recorder, or other collector of corporate funds, and receipt for, take care of, and keep a proper and true [account] of all such funds, of whatever nature, that may come into his hands, and for such purposes he shall keep such books as the board of mayor and aldermen may direct. He shall make out and present as many and such reports and statements of the finances of his office and of the corporation as the board may order. Before entering upon the discharge of his duties the treasurer shall give bond, with good securities, payable to the mayor and aldermen of Ripley, and in such an amount as the board may prescribe, and conditioned to be void only if he shall fully and truly account for and pay over as may be provided by law, and by the board, all corporation funds that may come into his hands from any source whatever, and to faithfully discharge all the duties required of him by law and by said board. The treasurer shall perform such other duties as the mayor and aldermen may prescribe. He shall pay moneys out of the treasury on the order or warrant of the mayor, countersigned by the recorder, and not otherwise, the order or warrant to show for what purpose the money is paid.
- Reports.**
- Bond.**
- To pay money on order or warrant.**
- Qualifications of voters.** SEC. 14. *Be it further enacted,* That no person shall be qualified to vote in the corporation elections unless he be qualified to vote for state and county officers, and shall have resided for six months next preceding the election within the corporate limits, or shall be, at the time he offers to vote, a *bona fide* owner of real estate within the corporate limits.
- Special powers.** SEC. 15. *Be it further enacted,* That the mayor and aldermen of Ripley shall, within the limitations of this act, have power, by ordinance—
1. To levy and collect taxes for general corporation purposes upon all property and polls taxable by the laws of the state, the rate of taxation on property to be such amount as the mayor and aldermen may provide for.
  2. To levy and collect taxes for general corporate purposes upon merchants, and, one or all, the privileges taxable by the laws of the state. The rate upon merchants and privileges to be such as the mayor and aldermen may provide for.
  3. To appropriate money and provide for the payment of the debts and expenses of the corporation.
  4. To make regulations to prevent the introduction

or spread of contagious diseases in the town; to make quarantine laws for this purpose, and enforce the same within two miles of the corporate limits.

5. To establish within or without the corporate limits hospitals, cemeteries, water-works, poor-houses, pest-houses, work-houses or houses of correction, or other houses or places for corporate purposes, and to make regulations for the government, improvement, and keeping up the same.

6. To establish a system of free schools, and regulate the same, but so as to avoid sectarian influence; to levy and collect taxes on the property, polls, merchants, and privileges taxable by the laws of the state, in order to keep up and maintain said schools; to erect therefor public school buildings, and improve the same. This shall be a special tax, and known as the city school tax, and shall be kept separate and apart from the other taxes. Said tax shall not exceed fifty cents on each one hundred dollars worth of taxable property, one dollar on polls, and five-eighths of the tax levied by the state on merchants and privileges; to make with the district school directors, or proper school authorities, contracts by consolidation with the schools kept up by state and county taxation, and to assist in keeping same up after consolidation and contract for erection or improving school building, and to do the same things with the trustees or authorities of any private school or persons controlling and managing private school property; and for any of these purposes, to appropriate any part, or all, of the city school-tax mentioned.

7. In the event a free school system is not established for the town under the provisions of the preceding subsection, then the board may make contracts with the proper authorities of any free school or private school to assist in keeping up the same, and to assist in building or improving school buildings within the corporate limits, and for this purpose, may levy and collect taxes on property, polls, merchants, and privileges, limited in amount as prescribed in said subsection 6, and may appropriate said taxes for said purposes, or any one of them.

8. To make regulations to secure the general health of the inhabitants, and prevent and remove nuisances.

9. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean, keep in re-

pair, streets, alleys, and sidewalks, or to have, or to cause the same to be done.

10. To erect, establish, and keep in repair bridges, culverts, sewers, and gutters.

11. To provide for lighting the streets, digging wells, cisterns, and erecting pumps on the streets or public grounds.

12. To provide for the erection and improvement of all buildings necessary for the use of the corporation.

13. To provide for the inclosing, improving, and regulation of all public grounds and buildings belonging to or under the control of the corporation within or beyond the corporate limits.

14. To license, tax, and regulate merchants, peddlers, and all privileges taxable by the state.

15. To regulate or prohibit and suppress all gambling or gambling-houses, bawdy houses, and all disorderly houses, and obscene pictures and literature.

16. To provide for the prevention and extinguishment of fires; to organize and establish fire companies; and to regulate the carrying on of manufactories dangerous in causing or producing fires.

17. To regulate or restrain and prohibit the erection of wooden buildings in any part of the city, or making additions thereto; but no wooden buildings or additions thereto shall be erected within one hundred and twenty feet of the public square; and this prohibition shall be enforced by appropriate ordinance.

18. To regulate the storage of gunpowder, tar, pitch, resin, saltpeter, gun-cotton, coal-oil, and all other combustible, explosive, or inflammable material, and the use of lights, candles, lamps, stove-pipes, steam-pipes, and chimneys in all store-houses, dwellings, outhouses, shops, stables, or other places; and to regulate or suppress the use and sale of fire-crackers or fire-works of all kinds.

19. To establish standard weights and measures to be used in the town, and regulate their use, and appoint a sealer of standard weights and measures, unless one is appointed and acting under the provisions of existing laws.

20. To provide for the inspection and measuring of lumber and all kinds of building material.

21. To provide for and regulate the inspection, weighing, measuring, and vending of all kinds of

provender or feed provisions, oils, whiskies, and other spirits, milk, butter, lard, and all kinds of provisions, meat, poultry, fish, and vegetables.

22. To establish and regulate markets, market-houses, and meat-houses, and establish electric lights.

23. To impose fines, forfeitures, and penalties for the breach of any ordinance, and to provide for their recovery and appropriation.

24. To provide for the arrest, imprisonment, and punishment of all riotous and disorderly persons within the town by day or night, and for the punishment of all breaches of the peace, noise, disturbance, or disorderly assemblies.

25. To impose fines or penalties upon the owner or owners, occupants or agents of any house, wall, or sidewalk, or other structure which may be considered dangerous or detrimental to the citizens, unless the same be removed or repaired after such notice be given as the board may fix by ordinance.

26. To regulate, tax, license, or suppress the running at large of all animals within the corporate limits; to take and impound the same, and, in default of redemption in pursuance of ordinance, to sell or kill the same.

27. To provide for the arrest and confinement, or release on appearance bond until trial, of all persons violating any of the corporate ordinances.

28. To erect and maintain a work-house in or near the town.

29. To provide for any person who may fail to pay or secure at once any fine or costs that may be imposed upon him or her under any ordinance, to be committed to said work-house, if one is erected, and if not, to the county jail, until such fine and costs be fully paid or secured. Every person so committed shall be required to work for the corporation, at such labor as his health and strength will permit, within or without said jail or work-house, not exceeding ten hours each day, and for such work the person doing same shall be allowed, exclusive of board, a credit upon such fine and costs of sixty cents a day until the whole is discharged, when he shall be released; *Provided*, That no person shall be compelled to work or be confined longer than three months for any one offense.

30. To provide for inclosing, improving and regu-

lating all public grounds belonging to the corporation in or out of the corporate limits.

31. To provide for the appointment of a special police force at such times and on such occasions as the board may determine, by ordinance.

32. To grant the right of way through or over the streets, alleys, avenues, and squares of the town to street or other railroad companies or persons.

33. To take and appropriate grounds for widening streets or parts thereof, or for laying out new streets, avenues, squares, or parks when the public convenience requires it under the provisions of Section 1388, and sections 1388, 1389, 1390, and 1391 of the Code.

34. To pass all laws necessary, for the health, convenience, and safety of the citizens, and to carry out the full meaning of this act, and to accomplish the object of this incorporation.

Contracts.

SEC. 16. *Be it further enacted*, That the board of mayor and aldermen may make all proper and necessary contracts for corporate purposes and uses, which shall be made in the name of the corporation, and signed by the mayor and recorder; and no person shall have power to create any liability against the corporation except by express authority of the board conferred at a meeting duly and regularly convened.

Money—drawing from treasury.

SEC. 17. *Be it further enacted*, That no money shall be drawn from the treasury by any one except upon an order or warrant drawn and signed by the mayor and countersigned by the recorder, but no such order or warrant shall issue, except by direct authority of the board conferred at a meeting duly and regularly convened; the warrant shall show for what purpose the money is paid, the recorder shall keep a record-book, properly ruled, showing the number of warrants issued, date of issuance, to whom issued, amount, and on what account issued, in which he shall make a record of all warrants issued, and note on the face of the warrant the fact of the record of same.

Title to property—who to hold.

SEC. 18. *Be it further enacted*, That the title to all property, real or personal, purchased by the corporation shall be conveyed to the mayor and recorder, by name, in their official capacity, for the use and benefit of the mayor and aldermen of Ripley, and by them, on behalf of the corporation, shall the title to property sold by the corporation be conveyed, the said mayor and recorder signing the deed or writings in



their official capacity and under the seal of the corporation.

SEC. 19. *Be it further enacted*, That property subject to taxation shall be assessed and listed for taxation in the name of the owner, or reputed owner, alphabetically, for the entire town, and, if real estate, giving the number of the lot, or some description that will be sufficient to identify it. In estimating the value of the property, the assessor shall be guided by the assessment laws of the state. Merchants and privileges shall be taxed, and taxes on same collected as may be provided by corporate ordinances. The assessment

Assessment.

book shall be made out and completed by the first day of April of the year for which the assessment is made and delivered by said time to the recorder, who shall proceed at once to make out the tax-book and complete and deliver the same to the marshal, or collector, by the first day of May of said year, at which time said taxes shall become due and payable, but the marshal shall not enforce collection until the fifteenth day of November following, unless ordered to do so by the board. All persons who have not paid their taxes

When assessment book to be completed.

by this time shall become delinquent, and the marshal shall at once make out a complete list of all such, showing the amount of taxes due from each, and on what due, and affix such penalty as the board may prescribe by ordinance. When said list is made out, the marshal shall make affidavit thereon before the mayor, or some justice of the peace, that it contains a full and complete list of all such, showing the amount of taxes due by each, to the best of his information and belief. Said list, as to each delinquent, shall be

Delinquents.

equivalent to an execution in the hands of said marshal, and with it he shall have the power to seize and take the goods and chattel rights and credits of said delinquents sufficient to satisfy the amount due by each, and to do all other things authorized to be done by any officer under an execution levied on such property until the money is made. If the marshal neglects to make out said list in such time as the board may prescribe, or fails to promptly enforce the collection of said taxes, some other officer or person may be elected by the board to discharge said duties. The marshal, or other person, shall keep said lists until such time as the board may prescribe for him to return it and make final settlement. Accounts may be made out against delinquents at any time after return

Delinquent list equivalent to execution.

Accounts against delinquents; suits.

of said lists for the amount of their taxes, and suits brought against them in the nature of an ordinary action of debt before any justice of the peace in the name of the mayor and aldermen of Ripley. If the taxes are on real estate, the warrant may show what lot, or lots, and that the taxes are a lien thereon, and the lien may be then enforced by judgment, and execution or attachment may issue showing same facts, upon affidavit of marshal stating any of the causes mentioned in the code for issuance of attachment at law. Assessed taxes on realty shall be and remain a lien thereon until paid, from and after the tenth day of January of the year the assessment is made. For the year 1893 the board may extend the time in which the assessment and tax-books are to be made out and completed, if necessary. If any officer fail to discharge any of his duties in regard to making out the assessment book, or tax-book, the board may appoint some other person to perform said duties as soon thereafter as practicable.

Taxes a lien on  
realty.

Privileges taxes  
—collection of.

SEC. 20. *Be it further enacted*, That the recorder may issue and sign distress warrants, and alias and pluries distress warrants, to collect taxes on merchants and privileges, directed to the marshal, or he may sue for and recover the same in the nature of an action of debt before some justice of the peace. The tax shall become due and payable on the day the party commences business, and shall be for twelve months, unless the party elects to take out license for a less time. The mayor may also issue distress warrants against delinquents to collect taxes, upon application of the marshal, and against parties who are not delinquents who may be about to move out of the corporation or county, or are fraudulently or about fraudulently to dispose of their property, upon the affidavit of the marshal. Said warrant shall be directed to the town marshal, and executed by him. Said distress warrants in the hands of said officer will give him the same power, and subject them to the same liabilities, as in the case of execution.

Mayor may  
issue distress  
warrants.

Mayor—powers  
and jurisdiction

SEC. 21. *Be it further enacted*, That the mayor, or the person acting as mayor under this act, shall have all the powers and jurisdictions of justices of the peace in the trial of offenses against the corporate ordinances, and offenses against the criminal and misdemeanor laws of the state. The trial and conviction of an offender against a corporate ordinance shall no

exempt him from liability to the state laws for an offense against the same arising at the same time, and out of the same transaction. When a person is brought before the mayor, and tried for an offense against the corporate laws, the mayor may, if he believes said party is guilty of violating some state law, cause him to be arrested and tried under the laws of the state, and for this purpose the mayor shall have all the powers and jurisdiction of justices of the peace.

SEC. 22. *Be it further enacted*, That when any person is arrested by the marshal without warrant in hand, he shall proceed to have one issued at once and served, and the party notified of the time and place of trial. After service of warrant in any case the marshal or mayor may take bond of said party, with good security, payable to the corporation, in the sum of one hundred dollars, conditioned to be void only if he makes his personal appearance at the time and place fixed for trial, and not depart without leave of the court, or, on failure so to do, pay said one hundred dollars.

Arrest and bond.

SEC. 23. *Be it further enacted*, That any person tried and fined by the mayor for violating any corporate ordinance may appeal from the judgment rendered by the mayor to the next term of the circuit court, upon executing bond, with good security, in a sum not exceeding two hundred and fifty dollars, payable to the corporation, and conditioned to abide by and perform the judgment of the circuit court in the premises; or he may appeal under the pauper oath, and remain in confinement, or give bond, with security for his personal appearance at the circuit court, and not to depart without leave of the court. Said appearance-bond shall be in the sum of one hundred dollars, and payable to the corporation.

Appeal.

SEC. 24. *Be it further enacted*, That the obligations of the official bonds and the appearance-bonds, herein mentioned, shall be joint and several, and any one or all of the parties to any one of said bonds may be sued for breach thereof before any justice of the peace having jurisdiction of the amount claimed or sued for, or before the circuit court.

Obligations of bonds.

SEC. 25. *Be it further enacted*, That it shall be the duty of the jailer of Lauderdale County to receive and keep in jail any person who may be committed to his keeping, for a breach of any corporate ordi-

Jailer to receive corporation offenders.

nance, or on a charge of having violated the same, for which he shall receive the same fees or compensation allowed by the state for keeping other prisoners.

Fees and salaries.

SEC. 26. *Be it further enacted*, That the officers created by this act, and authorized to be created, shall be paid such fees and salaries or compensation as the board of mayor and aldermen may provide for by ordinance, unless otherwise provided for by this act.

Police authority.

SEC. 27. *Be it further enacted*, That the police authority of the corporation and its officers shall extend one mile beyond its corporate limits in every direction, to prevent and suppress fighting, quarreling, loud cursing or swearing or other unnecessary noise, rude or boisterous conduct, disorderly assemblies or meetings and disturbances; and, for these purposes, the board of mayor and aldermen may enact such ordinances as may be necessary to carry out the object and meaning of this section; and the marshal shall have the same power, privilege, and right, without warrant in hand, to arrest any offenders against said ordinances anywhere within the corporate limits or within one mile of the corporation line, when the offense has been committed in the marshal's presence, or near enough for him to see or hear it committed, and, with warrant in hand, to arrest such offenders anywhere in the county.

Arrest.

Equalize illegal assessments, omitted property.

SEC. 28. *Be it further enacted*, That the board of mayor and aldermen shall have power, upon application of any tax-payer, to reduce or equalize and to correct any illegal assessment. The marshal shall assess for taxation all omitted property and polls that may come to his knowledge for the then existing year, and collect tax thereon. He shall also assess all omitted property for any previous year, and proceed to collect the same by suit or otherwise, as the board may provide for.

Present officers.

SEC. 29. *Be it further enacted*, That nothing in this act shall be construed to interfere with the present mayor and aldermen and other officers of the corporation, but they shall proceed to execute the provisions of this act and hold their offices until the next regular election as herein provided and until their successors are elected and qualified.

Incapacity of marshal.

SEC. 30. *Be it further enacted*, That in the absence of the marshal, or his incapacity from any cause to serve, any constable may execute and discharge all

the duties of the marshal except the collection of taxes.

SEC. 31. *Be it further enacted*, That the following acts incorporating and amending the town of Ripley, so far as they apply to said town, be so amended as to read as provided in this act, to wit: Chapter 74 of the Acts of 1857-8, entitled "An act to incorporate the town of Hartsville, in the county of Sumner, and for other purposes," the part hereby amended being Sections 7 to 17, inclusive. Also Chapter 52 of the Acts of 1889, passed March 9, 1889, entitled "An act to amend Chapter 74 of the Acts of the General Assembly of 1857-8, as far as the same applies to the incorporation of the town of Ripley, Tenn." Also Chapter 52, Acts of 1869-72, entitled "An act to amend the charter and extend the limits of the corporation of the town of Covington, and for other purposes," passed February 17, 1870, the part hereby amended being Sections 5 and 82 of said act. Also Chapter 66 of the Acts of 1891, entitled "An act to amend Section 8 of Chapter 74, Acts 1857-8, and to change the time of holding municipal election in town of Ripley, Tenn.," passed March 17, 1891.

SEC. 32. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed April 8, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*



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# RESOLUTIONS.

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# SENATE JOINT RESOLUTIONS.

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## NUMBER 4.

*Be it resolved by the General Assembly of the State of Tennessee, That the senate and house of representatives meet in joint convention in the hall of the house of representatives on Friday, January 6, at 12 o'clock, M., for the purpose of counting and declaring the vote cast for governor, and announce the result at the election held on 8th day of November, 1892, for governor.*

Adopted January 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 10, 1893.

JOHN P. BUCHANAN,  
*Governor.*

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## NUMBER 6.

WHEREAS, By an act of congress, approved March 2, 1891, a large sum of money was credited to the State of Tennessee on account of what has been known as the direct tax, levied by congress in 1866; and,

WHEREAS, By an act of the Tennessee Legislature, passed in March, 1891 (Chapter 85 of the Acts of 1891), the governor was authorized to receive from the United States government the fund so refunded, and the governor, secretary of state, treasurer, and comptroller were created a commission to distribute said

fund among the parties entitled to the same. Now, therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That said direct tax commission report to this general assembly—*

- (1) The amount received from the United States.
- (2) The amount paid for transmitting the same from Washington to the treasurer of this state, with the cost of securing from the records at Washington the name of the payers of said tax.
- (3) How much has been paid to claimants.
- (4) How much was retained by said direct tax commission as fees.
- (5) How much of said direct tax remains undistributed, and the amount uncalled for, going to citizens of each of the counties in which said tax was collected.
- (6) Whether the officials of the general government, in refunding said tax to Tennessee, deducted from the total amount which the government had received (\$1.75) one dollar and seventy-five cents, on account of certain homestead exemptions allowed in the act of congress levying said direct tax.

Adopted January 7, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 12, 1893.

JOHN P. BUCHANAN,  
*Governor.*

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## NUMBER 7.

*Be it resolved by the General Assembly of the State of Tennessee, That a committee of three members on the part of the Senate, and four members on the part of the House, be appointed by the respective speakers to examine the accounts of the commissioner of the bu-*

reau of agriculture, and the commissioner of labor, and report the amount of fees received by each, and report the condition of their respective offices.

Adopted January 10, 1898.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 14, 1898.

JOHN P. BUCHANAN,  
*Governor.*

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### NUMBER 13.

*Be it resolved by the General Assembly of the State of Tennessee—*

(1) That a committee of two on the part of the Senate, and three on the part of the House, be appointed by their respective speakers to examine the offices of direct tax commissioners, secretary of state, comptroller, and treasurer for the past two years, and report the amount of fees received by the persons filling these offices during that period.

(2) That a committee of two on the part of the Senate, and three on the part of the House, be appointed to examine the accounts and vouchers of the treasurer's and comptroller's offices for the term of four years, and report to the general assembly the condition of said accounts.

(3) That a like committee be appointed to examine the accounts and vouchers of the offices of secretary of state and adjutant-general, the same committee to make the examination of both of said offices for the period of two years.

(4) *Be it resolved further,* That each of said committees are hereby empowered, if, in their opinion necessary, to employ experts to aid in said investigation, to send for persons and papers, and to bring before them any and all persons which may be necessary

to a thorough investigation of the matters herein referred for investigation.

Adopted January 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

JNO. A. TIPTON,  
*Speaker pro tem. of the House of Representatives.*

Approved January 21, 1893.

P. TURNEY,  
*Governor.*

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### NUMBER 17.

*Be it resolved by the General Assembly of the State of Tennessee, That the presidential electors of 1892 be allowed four dollars per diem while in actual session, and the same rate of mileage now allowed by law to members of the general assembly, and that the comptroller is authorized and empowered to draw his warrant to them respectively for the amount due each, and that the same shall be included in the general appropriation bill, and that they shall be allowed mileage for the two trips it was necessary for them to make in consequence of the conflict between the national and the state law upon this subject; but this shall only apply to those in actual attendance.*

Adopted January 12, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 14, 1893.

JOHN P. BUCHANAN,  
*Governor.*

## NUMBER 19.

**RESOLUTION** confirming the election of trustees to supply vacancies in the board of trustees of the University of Tennessee.

**WHEREAS**, The charter of the University of Tennessee provides that upon the death, resignation, or removal from the state of any of the trustees of the said institution, the vacancy thereby occasioned shall be supplied by the remaining trustees electing some other person, which election shall remain until the expiration of the next term of the general assembly, within which time the general assembly shall confirm such election or supply such vacancy; and,

**WHEREAS**, The board of trustees of the University of Tennessee did, at their semi-annual meeting and their annual meeting in 1892, elect certain persons from the different congressional districts in the state, in accordance with the instructions of the General Assembly of the State of Tennessee, expressed in a resolution approved March 26, 1879, and the said persons have qualified and acted as trustees in accordance with the provisions of the said charter; and,

**WHEREAS**, By the election of the said trustees, representing the different congressional districts in the state, the occasion for the appointment by the governor of a board of visitors to the University of Tennessee, three from each grand division of the state, as authorized by a resolution of the general assembly approved March 26, 1879, is entirely removed and rendered unnecessary, and has lapsed by the failure of the two last elected governors to so appoint; therefore,

*Be it resolved by the General Assembly of the State of Tennessee*, That Hugh G. Kyle, of the first congressional district; Milton P. Jarnagin, of the second congressional district; James B. Frazier and Xenophon Wheeler, of the third congressional district; William C. Dismukes, of the fourth congressional district; W. B. Lamb, of the fifth congressional district; William H. Jackson, of the sixth congressional district; Campbell Brown and Z. W. Ewing, of the seventh congressional district; James D. Porter, of the eighth congressional district; Frank P. Bond, of the ninth congressional district; and Mary B. Treze-

vant and Jo. W. Allison, of the tenth congressional district, having, in conformity to law, been elected trustees of the University of Tennessee by the board of trustees of the said institution to supply the vacancies in the said board, and having qualified and acted as such trustees up to the present time, that said elections are hereby ratified and confirmed, and that the said persons be, and are hereby, invested with full power and authority as trustees of said institution under its charter and all succeeding laws of this state.

Adopted January 24, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved February 2, 1893.

P. TURNEY,  
*Governor.*

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## NUMBER 20.

WHEREAS, The Honorable Peter Turney has been duly and constitutionally elected governor of Tennessee for the term of two years from and after January 15, 1893, and his election has heretofore been duly ascertained and declared by the general assembly; and,

WHEREAS, The physical condition of Judge Turney renders is uncertain whether he can, with safety, attend at the capitol for inauguration on the 16th inst.; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That a committee of five on the part of the senate, and of five on the part of the house, to be designated by the respective speakers of the senate and house, be, and they are hereby, appointed and authorized to make such arrangements as may be necessary for the qualification and inauguration of the Honorable Peter Turney as governor of Tennessee*

on the 16th day of January, 1893, and to attend and conduct the ceremonies on behalf of the general assembly on that occasion.

*Be it further resolved*, That such qualification and inauguration may be had either at Nashville or at the home of Judge Turney, at Winchester, Tennessee, as may be most convenient for Judge Turney and deemed best by the committee, and whether performed at one or the other place named, the same shall be, and is hereby declared, a full compliance with the law in this regard.

Adopted January 13, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 14, 1893.

JOHN P. BUCHANAN,  
*Governor.*

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## NUMBER 21.

*Be it resolved by the General Assembly of the State of Tennessee*, That the senate and house of representatives meet in joint convention at 11:30 o'clock A.M. this, the sixteenth day of January, A.D. 1893, to attest and announce the administration of the oath of office as governor of the State of Tennessee to the Honorable Peter Turney, and to take such further or other steps in regard thereto as may be deemed necessary.

Adopted January 16, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

JNO. A. TIPTON,  
*Speaker pro tem. of the House of Representatives.*

The five days fixed by the constitution in which bills and resolutions are to be signed by the governor having expired before the signature of this Senate-Joint Resolution No. 21, the same goes into full force

and effect in pursuance of the further provisions of the constitution on this subject.

CARUTHERS EWING,  
*Clerk of the Senate.*

REAU E. FOLK,  
*Clerk of the House.*

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NUMBER 22.

In memory of ex-State Senator Henry R. Sherrod.

WHEREAS, The death of ex-State Senator Henry R. Sherrod is announced to have occurred on the eighth inst., at Galloway, Fayette County, Tennessee; and,

WHEREAS, The many substantial and excellent traits of character possessed by ex-Senator Sherrod placed him ever in the front rank in promoting the public welfare of his county and state; and,

WHEREAS, It is entirely proper that this body, as representatives of the people, express their appreciation of true merit and worth, when exhibited in such a remarkable degree, by a life-long citizen of our state; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That in the death of ex-Senator Sherrod, the state has lost one of its most worthy and useful citizens, a man of culture in the broadest sense, and yet a man of the soundest practical ability.

*Be it further resolved,* That the sincere sympathy of this body is hereby expressed in behalf of his family in this sad bereavement.

Adopted January 17, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 21, 1893.

P. TURNEY,  
*Governor.*



NUMBER 23.

*Be it resolved by the General Assembly of the State of Tennessee, That on Tuesday, the seventeenth day of January, 1893, this general assembly will, in separate houses, in pursuance of an act of congress of July 25, 1866, for the purpose of electing a senator from the State of Tennessee to the Senate of the United States, for the term beginning on the fourth day of March, 1893, proceed openly, by a viva voce vote of each member present, to name a person for the position of senator in congress from this state for the term beginning on the said fourth day of March, 1893.*

*Be it further resolved, That on Wednesday, the eighteenth day of January, 1893, at 12 o'clock, m., the senate will meet the house of representatives in the hall of the house of representatives, in joint convention, for the purpose of comparing the vote cast for said position in the Senate of the United States in each house on the preceding day, and to declare the result thereof; and in case it be then ascertained that no election was made by the vote of the two houses in separate session for said senatorial position, that then the joint convention of the two houses proceed to choose, by a viva voce vote of each member present, a person for the position and term aforesaid.*

*Be it further resolved, That in case there be no election on the Wednesday above named for said senatorial term, then said joint convention shall meet at 12 o'clock, m., in the same place on each succeeding day during the current session of the legislature, and, in the order above named, take at least one ballot for said senatorial position and term until an election has been made for the same.*

Adopted January 17, 1893.

WM. C. DISMUKES,

*Speaker of the Senate.*

RALPH DAVIS,

*Speaker of the House of Representatives.*

Approved January 21, 1893.

P. TURNEY,

*Governor.*

NUMBER 24. .

WHEREAS, It is announced in the daily press this morning that Hon. Rutherford B. Hayes, ex-President of the United States, after a brief illness at his home in Fremont, Ohio, died last night.

*Resolved by the State Senate of Tennessee, the House of Representatives concurring,* That in the death of Hon. Rutherford B. Hayes, the country has lost one of its most philanthropic, eminent, and exemplary citizens, brave in war, conservative in peace, and a patriot from principle. As a friend of all the people, he was the particular friend of the South, in this, that he was controlled by the same spirit of amity that actuated the great commander of the federal forces of the late war, in his proffers of peace at Appomattox; and since his retirement as president of the United States, the South has recognized in Hon. Rutherford B. Hayes an eminent friend of education, and a spirit of philanthropy purely Christian and non-sectional.

*Resolved further,* That we extend our profound sympathy to the family of the deceased, and that a copy of these resolutions be furnished them by the chief clerks of the two houses.

Adopted January 18, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

The five days fixed by the constitution in which bills and resolutions are to be signed by the governor having expired before the signature of this, Senate Joint Resolution No. 24, the same goes into full force and effect in pursuance of the further provisions of the constitution on this subject.

CARUTHERS EWING,  
*Clerk of the Senate.*

REAU E. FOLK,  
*Clerk of the House.*

NUMBER 25.

*Be it resolved by the Senate of the General Assembly of the State of Tennessee, the House of Representatives concurring,* That hereafter when either branch of the general assembly order the printing of any bill, there shall be printed a sufficient number of copies to furnish each member of the legislature two copies, and ten for each of the speakers; and it shall be the duty of the speaker of that body where the order for printing was made, to have the clerk furnish to the clerk of the other body the number of copies to which that body is entitled under this resolution.

Adopted January 19, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 28, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 26.

*Be it resolved by the General Assembly of the State of Tennessee,* That the committee appointed under Joint Resolution No. 13, to investigate and report the amount of fees received by the comptroller, treasurer, secretary of state, etc., be, and they are hereby, instructed to investigate and report whether or not any state official charged with the collection or safe-keeping of the funds or revenue of the state, have had, received, or accepted any interest, fees, or compensation for or on account of a deposit of the funds or revenues of the state in the hands of any bank, individual, firm, or corporation during the terms of office of said state officers; if so, by whom the same were so received, and how much was received on said account; and in this investigation, the said committee are authorized.

to send for all persons and papers necessary to make this investigation complete.

Adopted January 16, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 25, 1893, the day after presentation to me.

P. TURNEY,  
*Governor.*

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NUMBER 28.

*Be it resolved by the General Assembly of the State of Tennessee, That the senate meet the house of representatives in the hall of the house on Thursday, January 26, 1893, at 12 o'clock m., for the purpose of electing the following state officers in the order named: secretary of state, comptroller of the treasury, treasurer, and librarian.*

Adopted January 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved January 25, 1893.

P. TURNEY,  
*Governor.*

NUMBER 30.

THE MEMORIAL of N. Baxter, Jr., vice-president of the Tennessee Coal, Iron & Railroad Company.

*To the Forty-eighth General Assembly of the State of Tennessee :*

Your memorialist respectfully represents and shows that the Tennessee Coal, Iron & Railroad Company is a corporation chartered by the State of Tennessee, and engaged in mining coal and making iron. It is the lessee of the labor of the convicts committed to the penitentiary. As lessee and sublessee it has paid to the state hundreds of thousands of dollars as hire for said labor during the last twenty years.

Throughout that time it has met all its obligations, paid the state these vast sums, and performed its contract without trouble to the state or controversy between them.

During the years 1891 and 1892 insurrectionary and violent bodies of men in East Tennessee liberated a large number of the convicts, burned the company's property, and compelled the state to call out its military forces and incur a great expense in maintaining order and enforcing the laws. They inflicted great loss on this company and put it to enormous expense. Much of the expense caused by these violent and lawless proceedings, it is admitted, ought to be borne by the state. Much of this expense and the losses, it is admitted, ought to be borne by the company. But there were many items of expense and loss which the late administration of the state insisted ought to be borne by this company which this company insists and believes ought rightfully and justly to be borne by the state, and, so believing, it contended that it should be credited by a certain part of the rentals due from it as a lessee. But Governor Buchanan and the inspectors deemed it their duty to ignore the company's contention, and to institute suit against it for the part of the rentals which it insisted should be allowed to be credited, and the suit is now pending in court. This suit has been the cause of friction in the relations of the company and some of the officials, and not only continues these troubles, but stands in the way of co-operative action on the part of the state

and the company in the event of a repetition of this lawlessness—a period when co-operation is so much needed.

Your memorialist is advised that even if the gentlemen conducting the suit on behalf of the state were inclined to compromise and adjust any of the matters in controversy, they would be without the necessary authority to do so, hence it is that this memorial is presented to the legislature instead of the matter being proposed to them.

Your memorialist verily believes that when the assembly becomes acquainted with the facts, the matters which are about to become the subject of a protracted litigation can be justly settled to the satisfaction of all concerned, and not only remove what in the contingency mentioned would be a serious obstacle, and do justice as between man and man, to the state and the company alike, but properly relieve this company, which, without trouble or delay, has during all these years paid in all more than fourteen hundred thousand dollars from litigating the state.

Your memorialist therefore prays that this matter, which is one of public concern, be inquired into, and that your honorable body take such steps as will afford an opportunity for a just and fair settlement.

Respectfully submitted,

NATHANIEL BAXTER, JR.

*Be it resolved by the General Assembly of the State of Tennessee, WHEREAS, The memorial of N. Baxter, Jr., Vice-president of the Tennessee Coal, Iron and Railroad Company, presented to the general assembly, praying that inquiry be made into the mining troubles which occurred at Tracy City, Briceville, and other points in East Tennessee, and out of which the litigation now pending in the chancery court at Nashville between the State of Tennessee and the said company originated; with a view of effectuating a just, immediate, and satisfactory adjustment of the matter in controversy in said litigation—*

That a committee of — members on the part of the house, and three members on the part of the senate, be, and they are hereby, appointed a joint committee of the general assembly, with power, and whose duty it shall be, to examine into and report upon the matters referred to above and in said memorial, and particularly as follows: As to the nature and extent of

the disturbances, lawlessness, and insurrection at Tracy City, Briceville, Coal Creek, and other places where convicts were being worked or being attempted to be worked, moved, or located in 1892; the means and forces used or required to suppress the lawlessness or to keep or restore peace and good order; the number of military guards or forces employed; the number of convict guards employed and the expense and cost thereof, and the number usually employed therefor to guard convicts, and the expense and cost thereof; the number of convicts liberated, the number recaptured, and the number still at large, and the date of release and recapture; the value of the services of the convicts, the interruption of their labors, and the time that they were idle; the property of the state and the lessee and sublessees taken or destroyed by the mob or lawless forces, and the value thereof; and all matter effecting the interest of the state and the said lessee as shown and set forth in the pleadings in said litigation or otherwise. And the committee will accompany their report with such recommendation as the facts may authorize and justice may require.

Adopted January 30, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

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## NUMBER 32.

*Resolved by the General Assembly of the State of Tennessee,* That the comptroller of the state issue his warrant to Jake Young for thirty dollars, for amount paid by him in connection with the inauguration of Gov. P. Turney, for which receipts are herewith filed.

*Resolved further,* That the comptroller issue his warrant for (\$8.50) eight dollars and fifty cents for work

done in and about the senate chamber under the order of the senate.

Adopted January 27, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker pro tem. of the House of Representatives.*  
Approved February 4, 1893.

P. TURNEY,  
*Governor.*

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### NUMBER 33.

*Be it resolved by the General Assembly of the State of Tennessee, That a committee of three from the senate, and a like number from the house, be appointed by their respective speakers, at the special request of Captain Garrett, state superintendent of public instruction, to investigate the financial management of said office for the two years of his administration of the same, and to report the result of this investigation their respective houses.*

Adopted January 27, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker pro tem. of the House of Representatives.*  
Approved February 4, 1893.

P. TURNEY,  
*Governor.*

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### NUMBER 36.

*Be it resolved by the Senate of the State of Tennessee, the House of Representatives concurring, That our representatives in the congress of the United States favor the enactment of reasonable and just legislation by*



which a graded income tax shall be levied and collected, and the proceeds thereof be applied to the necessary expense of the Federal government.

Adopted January 31, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

NUMBER 37.

*Be it resolved by the Senate of the State of Tennessee, the House of Representatives concurring, That it is the sense of the Forty-eighth General Assembly that the members of the senate of the congress of the United States should be chosen by a direct vote of the people of the respective states, and that said general assembly favors such steps as may constitutionally accomplish this method of electing senators to the congress of the United States.*

Adopted January 31, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

NUMBER 40.

WHEREAS, It is understood that Dr. J. L. M. Curry, general agent of Peabody school fund, is to visit Nashville on February 7th inst.; and,

WHEREAS, The reputation of Dr. Curry in all matters pertaining to the educational interests of our country is world-wide in extent; therefore,

*Be it resolved by the Senate, the House of Representatives concurring,* That Dr. Curry be, and is hereby, invited to address the Forty-eighth General Assembly of the State of Tennessee, in joint convention, assembled in the hall of the house of representatives, on Tuesday, February 7th inst., at 12 o'clock meridian.

Adopted February 1, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved.

P. TURNEY,  
*Governor.*

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NUMBER 41.

WHEREAS, The circuit and chancery judges of the State of Tennessee will be elected at the next general election in August, 1894; and,

WHEREAS, There has been indicated a general dissatisfaction as to the size and shape of the present districts; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the speakers of the senate and house of representatives appoint a committee of six members from their respective bodies, two from each grand division of the state, whose duty it shall be to draft a

bill redistricting the state into judicial circuits and chancery divisions and report same to both houses at their earliest possible convenience.

Adopted February 2, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

RALPH DAVIS,  
*Speaker of the House of Representatives.*

Approved February 4, 1893.

P. TURNEY,  
*Governor.*

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## NUMBER 42.

WHEREAS, The Forty-seventh General Assembly by resolution authorized the appointment of a committee, consisting of two upon the part of the senate and five upon the part of the house, to investigate what amount of stock the state owned or is now entitled to claim in the East Tennessee & Georgia Railroad, what disposition was made of same, etc.. Said committee reported that on account of their duties as members of the senate and house they were unable to make such investigation as was required of them by the above mentioned resolution, whereupon the house passed House Resolution No. 7, authorizing the chairman of said committee to appoint subcommittees to act with him and investigate said matter after the adjournment of the general assembly, and to report the result of their investigation to the state treasurer; therefore,

*Be it resolved by the Senate, the House concurring, That a joint committee, composed of two upon the part of the senate and — upon the part of the house, be appointed by the speakers of the senate and house to visit the treasurer and make such inquiries as they may deem necessary, and report result of their work to the house and senate, and if said investigating com-*

mittee has reported, that they present copy of said committee's report as part of their report.

Adopted February 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 11, 1893.

P. TURNEY,  
*Governor.*

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#### NUMBER 44.

*Be it resolved by the Senate of the Forty-eighth General Assembly of the State of Tennessee, the House of Representatives concurring, That a committee of two on the part of the senate, and three on the part of the house, be appointed to investigate the books of the state printer, and report to this general assembly the cost of said printing for the past two years.*

*Be it further resolved, That the committee be directed to include in their report an itemized account as to cost per 1,000 of articles furnished, etc.*

Adopted February 8, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 11, 1893.

P. TURNEY,  
*Governor.*

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#### NUMBER 46.

*Be it resolved by the General Assembly of the State of Tennessee, That both houses take a recess from Saturday, February 11, at 12 o'clock m., until March 8, at 11 o'clock, a. m., 1893, and that the speakers of each house appoint four members from the committee on*

education and common schools, committee on charitable institutions, and committee on penitentiary as subcommittees, whose duties shall be

(1) To sit during recess or so much thereof as may be necessary.

(2) To visit, inspect, and investigate the institutions of the state and the main and branch prisons of the state, and to make a true, perfect and complete report of their investigations at the reassembling of the legislature, and to take in writing all testimony heard by them, and to this end they are hereby allowed a stenographer for each committee. Said testimony to accompany the report of the committee.

(3) That the sergeant-at-arms of the house accompany the penitentiary committee.

*Be it further resolved,* That the speaker of each house appoint a subcommittee, consisting of three members of the penitentiary committee of each house, whose duty shall be to sit during recess, or so much thereof as may be necessary, for the purpose of making all necessary investigations looking to the removal of the old and the building of a new penitentiary, to the value of the present penitentiary, and to examine and prepare all bills necessary to the solution of the penitentiary problem; and said committee may send for persons and papers and prepare and make a full report of their investigations, and to this end may employ a stenographer.

*Be it further resolved,* That the necessary expenses of said committees and their per diem for the time they are in actual and necessary session be included in the general appropriation bill; and that said committees shall have power to administer oaths, to send for persons and papers, and are hereby instructed to make a full and careful investigation of said institutions.

Adopted February 9, 1893.

WM. C. DISMUKES,

*Speaker of the Senate.*

RALPH DAVIS,

*Speaker of the House of Representatives.*

Approved February 11, 1893.

P. TURNEY,

*Governor.*

NUMBER 47.

*Be it resolved by the General Assembly of the State of Tennessee,* That the following committees be empowered to sit during recess, except as below provided, go to any point or points necessary to the full discharge of their duties, have full power to send for persons and papers, issue and serve process, compel the attendance of witnesses, employ stenographers, or incur any other cost which, in their respective judgment, is deemed necessary, and that cost of same, upon being audited and allowed by the respective committees, be included in the general appropriation bill, viz.:

(1) The redistricting committee, from the first to the eighth of March, inclusive.

(2) The committee to investigate the mining troubles under Senate Joint Resolution No. 30.

(3) The committee to examine the accounts and vouchers in the comptroller's and treasurer's office.

*Be it further resolved,* That the members of the said committees shall receive their regular per diem only while in attendance upon the discharge of the duties imposed upon them by being members of the above committees.

Adopted February 11, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 11, 1893.

P. TURNEY,  
*Governor.*

NUMBER 49.

WHEREAS, It appears that the plans for the interior decoration and finishing of the Congressional Library Building, at Washington, call for six hundred thousand dollars worth of foreign marble, and only thirty-eight thousand dollars worth of American marble; and,

WHEREAS, Several states of the union, notably Tennessee, produce marble superior in both quality and beauty, and vastly superior in variety, to any of the foreign marbles; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the attention of members of congress, the heads of departments and bureaus of government, and all officers and agents whose official positions give them voice or influence in the matter, be called to the unjust discrimination against home products in favor of foreign, and home labor in favor of foreign, and that such measures as may be necessary to correct the evil in this instance, and avoid it in all future contracts for public works, are most urgently requested of them.*

Adopted March 8, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 17, 1893.

P. TURNEY,  
*Governor.*

NUMBER 52..

*Be it resolved by the Senate and House of Representatives, That hereafter the direct tax commission shall collect no fees of any kind for the distribution of the direct tax received from the United States to be returned to the persons from whom the same was collected; and the said commissioners shall, until otherwise directed by law, pay the claimants of said taxes, as directed by the Act of 1891, but without retaining any of the fees mentioned in said act.*

Adopted March 18, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 53.

WHEREAS, The congress of the United States has passed an act, approved March 3, 1891, entitled "An act to credit and pay to the several states and territories, and the District of Columbia, all moneys collected under direct tax, levied by act of congress, approved August 5, 1861," and under which first-named act, the governor of the state is entitled to receive in trust for the purposes therein named, the amount paid by the citizens of the State of Tennessee, and other persons owning property therein, to the United States, under said act of congress, approved August 5, 1861; and that,

WHEREAS, The legislature did, on March 13, 1891, pass an act empowering the governor to appoint an agent to collect the tax due the State of Tennessee under said provision; and that,



WHEREAS, Acting under said authority, the governor did appoint such agent, who made settlement and collected what is known as the tax proper; and,

WHEREAS, It has come to the knowledge of the legislature that there is still a large sum of money due the citizens of Tennessee, consisting of penalties, interests, costs, etc., which amount has not yet been paid over; now, therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the governor be, and is hereby authorized to employ, at such reasonable compensation as he may deem proper, not to exceed \$250, to be paid out of the fund itself, a suitable agent or attorney, to proceed to Washington, D. C., and adjust, with the officers of the treasury department of the United States, the various amounts still due under the provisions of said act of congress, approved March 3, 1891, and the governor of the state is hereby authorized and directed to receive said money for the uses and purposes aforesaid.*

Adopted March 17, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

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#### NUMBER 54.

WHEREAS, Under the acts of 1866 authorizing same, Gov. W. G. Brownlow issued bonds to the amount of \$453,808.81 for the purpose of railroad machinery, cars, and other material purchased for the use and benefit of Memphis, Clarksville and Louisville Railroad and the Edgeville and Kentucky Railroad from the United States Military Department at Nashville, of the United States, and,

WHEREAS, These bonds bear a very large interest and have never been taken up, although they were due two years after date, and are now on deposit in the Fourth National Bank of the city of Nashville, awaiting a settlement of the claims of the state against the United States government, which at one time became very neareffected through the passage of a bill in the lower house of congress, and which passed second reading in the senate. and which was afterwards overlooked in the committee; and,

WHEREAS, The United States government now holds about \$275,000 worth of  $5\frac{1}{2}$  per cent. bonds on account of the Indian trust fund, and which are on deposit in the office of the secretary of the interior at Washington; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That our senators and representatives in congress are hereby requested and earnestly implored to proceed, at the earliest practicable moment, to get the state's claim against the government adjudicated in order to effect a settlement of these matters and to properly reduce this bonded indebtedness to at least an extent commensurate with the justice of the state's claim against the United States, and that they be notified of the passage of this resolution by the clerk of the senate as early as practicable.*

Passed March 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved March 25, 1893.

P. TURNEY,  
*Governor.*

NUMBER 60.

WHEREAS, Under Chapter 217, Acts of 1891, the funding board were directed to issue a sufficient number of four per cent. bonds with which to redeem and call in the five and a quarter and six per cent. settlement bonds, "A," "C," and, under said act, about \$450,000 of said settlement bonds were redeemed and called in, and are now in the office of the comptroller uncanceled; and,

WHEREAS, As the law has heretofore existed, the comptroller has had no direct authority to cancel said bonds; therefore,

*Be it resolved by the Senate and House of Representatives,* That the speaker of the senate appoint two members of the senate, and the speaker of the house three members of the house, who together shall constitute a joint committee, in whose presence the comptroller shall at once cancel and efface the settlement bonds so redeemed and called in, and now in the hands of the comptroller.

Adopted April 3; 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 61.

WHEREAS, In 1890 T. E. Davis, sheriff of Lake County, Tenn., because of change of venue, was required to transport and convey Nathan Tarver and Woodville Tarver, who were under indictment for murder in the first degree, from Lake County to Dyersburg, in Dyer County, Tenn., a distance of 240 miles by the mode and route of travel required, for which he is and was entitled to the sum of \$120, which has not been paid to him, and for which the State of Tennessee is liable; now, therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the sum of one hundred and twenty dollars (\$120) be paid to T. E. Davis, in payment of said claim, out of the state treasury in the usual manner, and that the appropriation for this purpose be included in the general appropriation bill.*

Adopted April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 63.

WHEREAS, The residence of ex-President Jas. K. Polk, known as "Polk Place," will be sold under a decree of the chancery court, at Nashville, Tenn., for partition among the heirs; and,

WHEREAS, Provision has been made by said court for the expense of removing the tomb and remains of ex-President Jas. K. Polk and his wife, Sarah Childress Polk, to some other suitable place; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That permission is hereby given the said heirs to remove said tomb and remains to the capitol grounds, at Nashville, Tenn., and that the governor, secretary of state, comptroller, and treasurer be, and are hereby, appointed a committee to designate a suitable spot on the capitol grounds for the placing of the remains and erection of the tomb.*

Adopted April 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 8, 1893.

P. TURNEY,  
*Governor.*

NUMBER 72.

*Be it resolved by the Forty-eighth General Assembly of the State of Tennessee,* That the joint committee appointed by said assembly to investigate and examine the office of state treasurer and comptroller is hereby vested with the following power and authority:

(1) To issue subpoenas for any witness the committee may deem material to be brought before it, and enforce the attendance of such witnesses by any necessary process.

(2) To take the depositions of any witness by the committee, or any member thereof, or to have the same taken before any competent officer, and to issue subpoenas for said purposes.

(3) To send for any books, papers, or documents they deem necessary for proof, examination, or inspection, and issue subpoena *duces tecum* for the purpose, and otherwise compel the enforcement of this clause.

(4) Full power and authority is vested in the sergeant-at-arms of either house, and in each member of the committee, to serve process and enforce the above designated powers.

(5) Such other power and authority as may be necessary to the execution of the duties imposed upon the committee by this general assembly.

Adopted April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 7, 1893.

P. TURNEY,  
*Governor.*

NUMBER 73.

WHEREAS, By Senate Resolution No. 28 of the Forty-seventh General Assembly of Tennessee, a committee was appointed to investigate and report as to certain expenditures of money made by Laps D. McCord, while adjutant-general of the state, for collecting and arranging the muster rolls of Tennessee soldiers who enlisted in the Mexican war; and,

WHEREAS, The committee reported that only a small part of the work contemplated in the act authorizing it was done by said adjutant-general, and that very badly done, for which one hundred dollars (\$100), in the judgment of the committee, was large pay; and,

WHEREAS, Said adjutant-general drew from the state treasury, for said work, the sum of four hundred dollars and twenty cents (\$400.20), \$300 of which the committee recommended should be refunded and paid into the state treasury; and,

WHEREAS, Said \$300, nor any part thereof, has been repaid, as required by said report, and the state being entitled to the same; therefore,

*Be it resolved by the Senate, the House concurring,* That the comptroller of the treasury of the state is hereby authorized to notify said Laps D. McCord forthwith to repay said amount of \$300 into the treasury within sixty days from the passage of this resolution, and if, at the expiration of said sixty days, the same is not so paid, then the comptroller is hereby authorized and empowered to take such steps as may be necessary to enforce the payment thereof, by suit if necessary, against said Laps D. McCord, or him and his securities, as may be proper for such default.

Adopted April 5, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## NUMBER 77.

*Be it resolved by the General Assembly of the State of Tennessee,* That the funding board created under act of the general assembly, passed March 15, 1883, being Chapter 84 of said acts, consisting of the governor, comptroller of the treasury, and treasurer, be, and are hereby, authorized and empowered to borrow such sum or sums of money, in the name of the state, as said board may deem necessary, to supplement the funds in the state treasury, for the purpose of promptly paying the interest to fall due July 1, 1893, January 1, 1894, July 1, 1894, January 1, 1895, upon the bonds funded under said act of 1883, and for the purpose of promptly paying the interest to fall due October 1, 1893, April 1, 1894, and October 1, 1894, upon the bonds issued under Chapter 217 of the Acts of 1891, and for the purpose of promptly paying the interest upon bonds that may be authorized to be issued by the present general assembly.

*Resolved further,* That said funding board, for all sums borrowed under authority of this resolution, shall execute a note or notes of the state payable to the lender, on time or demand, said note or notes to bear interest not exceeding legal rate. Said board shall have the right to reduce and pay off said note or notes, with accrued interest, out of any funds in the treasury not otherwise appropriated, upon the comptroller's warrant issued therefor. The comptroller shall keep a record showing the amount of said note or notes, when and to whom said notes were executed and when same were paid.

*Resolved further,* That said funding board are hereby authorized to appoint some bank in the city of New York as the state's fiscal agency, for the purpose of paying the coupons of the bonds above enumerated in the city of New York as the same may become due.

*Be it further resolved,* That the said funding board be, and they are hereby, authorized to keep a current account with the fiscal agency of the State of Tennessee appointed under authority of this resolution, for the purpose of paying the coupons of the bonds of the state, of any series whatever, but for no other purpose.

Said fiscal agent to execute a bond to the State of Tennessee in double the amount of funds that may be kept there at any time.

Adopted April 8, 1893.

.....  
*Speaker of the Senate.*

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 81.

*Resolved by the Senate and House of Representatives,*  
That the office room at present occupied by the land register be declared an office for the state treasurer, and that the superintendent of the capitol provide the room outside the railing in the hall of the house of representatives, and opposite the office of the commissioner of labor, for the land register.

Adopted April 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

J. A. TROUSDALE.

*Speaker of the House of Representatives.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*



# SENATE RESOLUTIONS.

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## NUMBER 1.

*Resolved*, That there be chosen two pages to wait upon the senate.

Adopted January 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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## NUMBER 2.

*Resolved*, That the clerk inform the house of representatives that the senate is now fully organized and ready to proceed to the transaction of the public business; also, that the officers of the senate are: W. C. Dismukes, speaker; Caruthers Ewing, clerk; Frank Chambers, assistant clerk; Jake Young, sergeant-at-arms; Leslie Stratton and James Kirby, pages; and Miss Katherine Sullivan, engrossing clerk.

Adopted January 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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## NUMBER 3.

*Resolved*, That a committee of three on the part of the senate be appointed by the speaker to join such committee as may be appointed by the house of rep-

representatives, and inform the governor that the two houses are now fully organized and ready to receive any communication he may desire to make.

Adopted January 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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#### NUMBER 4.

*Resolved*, That the rules of the Senate of the Forty-seventh General Assembly of Tennessee be adopted for the government of this body until otherwise amended or extended.

Adopted January 6, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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#### NUMBER 5.

*Resolved by the Senate*, That the speaker of the senate be, and he is hereby, authorized and directed to appoint, in his discretion, an assistant engrossing clerk for the senate, when the business of the senate, in his opinion, requires it.

Adopted January 7, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

NUMBER 6.

*Resolved by the Senate,* That the state treasurer be authorized to pay W. F. Overstreet the sum of two dollars and sixty cents, for work done on senate desks, and that same be included in the general appropriation bill.

Adopted January 7, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 7.

*Resolved by the Senate,* That the sergeant-at-arms be, and he is hereby, authorized to draw upon the state treasurer for (\$5.00) five dollars in cash for each member of the senate, for the purpose of buying postage stamps, which amount the treasurer is hereby authorized to furnish, and that the same be included in the general appropriation bill.

*Resolved further by the Senate,* That the sergeant-at-arms of the senate obtain for each member of the senate the (\$5.00) five dollars allowed by the act of the general assembly, Chapter 234, passed April 5, 1889, for supplying themselves with stationary.

Adopted January 9, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 8.

*Resolved,* That the clerk be authorized to have two drawers fitted in the clerk's desk, and that the cost of same be included in the general appropriation bill.

Adopted January 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

NUMBER 9.

*Resolved by the Senate, That the clerk be, and is hereby, directed to prepare a calendar of the business of the senate. Said calendar to be printed and placed on the desks of the members each week.*

Adopted January 10, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 10.

*Resolved, That the assistant clerk be directed to prepare a roster of the officers and members of the senate, and that 250 copies of same be ordered printed.*

Adopted January 12, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 11.

*Resolved, That the sergeant-at-arms be authorized to have the door of the senate chamber so arranged in vestibule form, similar to that of the house of representatives, so as to preclude the cold and protect the room from the same, and report cost thereof to this body.*

Adopted January 12.

WM. C. DISMUKES,  
*Speaker of the Senate.*

NUMBER 13.

*Be it resolved by the Senate, That the sergeant-at-arms be, and he is hereby, directed to procure, for the use of the senate, one-half dozen waste-baskets.*

Adopted January 16, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 14.

*Be it resolved, That the clerk be directed to procure a suitable chair for the speaker of the senate, and that the cost thereof be included in the general appropriation bill.*

Rules suspended and resolution January 16, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 15.

WHEREAS, The members of the senate have heard with profound sorrow of the death of Capt. Thomas F. Perkins, which sad event occurred at his home in Williamson County, on the night of January 14th inst.; and,

WHEREAS, He was formerly a member of the senate, and had held various other positions of confidence and trust, and was a man of genial disposition and many sterling traits of character, a prominent, patriotic, and worthy citizen;

*Be it resolved*, That in his death his state and county have suffered a great and irreparable loss, and that the members of the senate hereby tender their heartfelt sympathies to his widow and to his many friends and relations.

Adopted January 18.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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#### NUMBER 17.

*Be it resolved by the Senate of the Forty-eighth General Assembly of Tennessee*, That the sergeant-at-arms of the senate be, and he is hereby, directed to have the desk of the chairman of committee on enrolled bills supplied with good locks and drawer-pulls, and that the cost of the same be included in the general appropriation bill.

Adopted January 23, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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#### NUMBER 20.

WHEREAS, The Senate of the State of Tennessee have learned, through the associated press dispatches, of the death of Hon. James G. Blaine; and,

WHEREAS, The members of this senate recognize in the past life and in the character of the Hon. James G. Blaine a man of broad mind, honesty of purpose, liberality of views, American policy, and one of the greatest representative Americans of his day; therefore,

*Be it resolved*, That in respect to the life, character,

and past services of the Hon. James G. Blaine, this house, when it adjourns, shall adjourn until Monday, January 30, 1893.

*Resolved*, That we tender our condolence to the widow and relatives of the deceased, recognizing the great and irreparable loss to them in the death of this illustrious man, as well as the great loss to the nation of so wise and illustrious a statesman.

Adopted January 27, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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#### NUMBER 21.

*Be it resolved*, That the selection by the board of directors of the Tennessee Industrial School of S. J. Kirkpatrick, Wm. Gettys, and P. P. Pickard as members of the board of directors of said institution, to serve for the term of six years, commencing January 15, 1893, be, and is hereby, ratified and confirmed by the senate of the Forty-eighth General Assembly of the State of Tennessee.

Adopted.

R. M. BARTON, JR.,  
*Speaker pro tem. of the Senate.*

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#### NUMBER 22.

*Be it resolved by the Senate*, That we highly commend the taste of the superintendent of the capitol for the decorations of the senate chamber with select flowers.

Adopted February 6, 1893.

R. M. BARTON, JR.,  
*Speaker pro tem. of the Senate.*

NUMBER 23.

*Resolved by the Senate, That the comptroller be, and he is hereby, authorized to issue a warrant for the sum of fifteen dollars (\$15), payable to T. J. Robertson for placing storm-doors at the door of the senate chamber, and that an appropriation shall be made therefor in the general appropriation bill.*

R. M. BARTON, JR.,  
*Speaker pro tem. of the Senate.*

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NUMBER 24.

*Resolved by the Senate of the State of Tennessee, That the speaker of the senate is hereby authorized to appoint one additional committeeman on each one of the visiting committees.*

Adopted February 11, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 26.

*Be it resolved by the Senate, That the speaker of the senate is authorized and requested to accompany the visiting and investigating committee on their tour of inspection during the recess, and that he be allowed the same per diem as other members of the committee.*

Adopted February 11, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*



NUMBER 27.

WHEREAS, The name of Chief Justice Horace H. Lurton has been presented to the president for appointment to the vacancy made by the resignation of Judge Jackson; and,

WHEREAS, Judge Lurton, by reason of his pure character, great ability, and impartiality, has the esteem and confidence of all Tennesseans, irrespective of party affiliations; therefore,

*Be it resolved by the Senate of the State of Tennessee,* That we most cordially recommend Judge Lurton to the president as in every way worthy of filling this high office.

*Resolved further,* That the clerk of the senate be directed to transmit a copy of this resolution at once to the president, with a minute of the vote.

Adopted March 8, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 28.

*Resolved by the Senate,* That the sergeant-at-arms be instructed and required to remain in charge of the chamber during recess to take care of the mail of the members, and perform whatever duties that may be required of him by the committees sitting during vacation.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 30.

*Be it resolved,* That the senate hereby condemns in unmeasured terms the attack made upon Senator Barton by Messrs. Gammon and Kyle, in a publication made in the Nashville Banner, said statements

being directly in conflict with sworn statements made by said Kyle and others before the said penitentiary committee; and, also, hereby expresses its utmost confidence in the correctness of the report made by himself and associates to this body. It is the sense of the body that the high character of Senator Barton, and his undoubted integrity, are such that the members of this body are of the opinion that not for a moment would he act otherwise than in strict accordance with his sense of duty to the state, and his judgment is certainly entitled to the greatest respect. The senate also expresses in the strongest terms the same confidence in the judgment and integrity of each member of the committee.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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### NUMBER 31.

WHEREAS, Under the revenue bill passed extra session, 1891, the comptroller of the state is entitled to one and one-half per cent. commissions on railroad taxes collected by him; and,

WHEREAS, After the former comptroller went out of office, and before the fee-bill became a law, there was collected and passed into the treasury \$21,420.93, and the comptroller's commissions on the same, namely, \$321.30, was passed into the treasury; and,

WHEREAS, Under the law governing the same, all fees and taxes falling due prior to the expiration of his term of his office belong to the former comptroller; and,

WHEREAS, In the adjudication of the fees of the office between the outgoing and the ingoing comptroller said interpretation of the law is perfectly satisfactory to each; therefore,

*Be it resolved,* That the said outgoing comptroller is entitled to said fees, and the finance, ways, and means committee is directed to include the same in the appropriation bill.

Adopted April 8, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

NUMBER 32.

*Be it resolved by the Senate of the State of Tennessee,*  
That the comptroller of the state be, and is hereby,  
directed to draw his warrant on the treasurer in favor  
of Jake Young, for eight dollars and forty-five cents  
(\$8.45), for sundry articles purchased by him for the  
use and benefit of the senate, an itemized account of  
which is herewith appended; and that this amount  
be included in the appropriation bill.

Adopted March 29, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 33.

*Be it resolved by the Senate of the State of Tennessee,*  
That the comptroller of the state be authorized to  
draw his warrant on the treasurer of the state for the  
sum of six dollars and ninety cents in favor of J.  
Jungerman, for sundries furnished the superintendent  
of the capitol, and the same be included in the general  
appropriation bill.

Adopted April 4, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 36.

WHEREAS, Information reaches this body that the  
wife of Col. Charles, superintendent of the capitol,  
died at her home in Calhoun, McMinn County, on  
the 30th inst.; therefore,

*Be it resolved by the Senate,* That the profound sym-  
pathy of this body is extended to Col. Charles and

his family in the great affliction which has overtaken them, and that a copy of this resolution be spread upon the minutes of the senate and a copy of the same furnished the family of the deceased.

Adopted March 31, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 38.

*Be it resolved by the Senate,* That the finance, ways, and means committee include the sum of \$51.00 in the general appropriation bill, to be paid James E. Ingram, for services rendered in arranging and making a complete inventory of arms, stores, and ammunition, for use of the committee investigating the adjutant-general's offices.

Adopted April 1, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 41.

*Resolved,* That speeches of senators on any subject shall be limited to three minutes.

WM. C. DISMUKES,  
*Speaker of the Senate.*

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NUMBER 45.

*Resolved,* That when the senate adjourns, it adjourn to 2 o'clock to-day, after which the senate will sit until 6:30 P.M., take a recess until 7:30, and after that sit continuously until 11 o'clock P.M. to-night.

Adopted April 8, 1893.

WM. C. DISMUKES,  
*Speaker of the Senate.*

# HOUSE JOINT RESOLUTIONS.

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## NUMBER 3.

*Be it resolved by the House of Representatives, the Senate concurring, That the sympathy of this general assembly be expressed to Hon. J. W. Massengill in the loss of his daughter.*

Adopted January 6, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved January 14, 1893.

JOHN P. BUCHANAN,  
*Governor..*

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## NUMBER 7.

*Be it resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of the house, and two on the part of the senate, be appointed to investigate and report to this general assembly, in writing:*

(1) The number of inspectors of illuminating oils and fluids appointed and in office in this state, and for what place each is appointed.

(2) The number of barrels and small packages inspected at each place during the years 1891 and 1892, and the amount of fees received as compensation by each inspector during said years.

(3) The names of all persons, firms, or corporations shipping or buying said illuminating oils or fluids in this state for sale, and the number of barrels during the years 1891 and 1892 by each person, firm, or corporation, and, if a corporation, whether domestic or foreign.

*Be it further resolved*, That said committee shall have power, and is hereby authorized, to send for persons and papers, and to administer oaths to parties, if necessary to ascertain the facts called for in the foregoing resolution.

The committee will report, at the earliest day possible, to this general assembly, for its information in the matters involved herein.

Adopted January 9, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved January 14, 1893.

JOHN P. BUCHANAN,  
*Governor.*

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### NUMBER 13.

*Be it resolved by the General Assembly of the State of Tennessee*, That the printer of the state be, and is hereby, instructed to print and deliver the reports of the various officers and institutions, as follows:

Treasurer's Report—165 copies for the use of the senate, 990 copies for the use of the house, and 250 for the use of the treasurer.

Penitentiary Report—165 copies for the use of the senate, 500 copies for the use of the house, and 250 for the use of the officials.

Comptroller's Report—165 for the use of the senate, 500 for the use of the house, and 2,250 for the use of the comptroller.

Report of the Insane Asylum, East Tennessee—66 copies for the use of the senate, 200 for the use of the house, and 100 for the use of the institution.

Report of Insane Asylum, Middle Tennessee—66 copies for the use of the senate, 200 copies for the use of the house, and 100 for the use of the institution.

Report of Insane Asylum, West Tennessee—66 copies for the use of the senate, 200 copies for the use of the house, and 100 copies for the use of the institution.

Report of Commissioner of Agriculture—165 copies for the use of the senate, 200 copies for the use of the house, and 2,000 for the use of the bureau.

Report of the Deaf and Dumb Institution—66 copies for the use of the senate, 200 for the use of the house, and 100 for the use of the asylum.

Report of the School for the Blind—66 copies for the use of the senate, 200 for the use of the house, and 100 for the institution.

Report of the Superintendent of Public Instruction—66 for the use of the senate, 990 for the use of the house, and 1,000 for the use of the superintendent.

Report of the Tennessee Industrial School—66 copies for the use of the senate, 200 for the use of the house, and 500 for the use of the institution.

Report of the State Geologist—66 copies for the use of the senate, 200 for the use of the house, and 500 for the use of the geologist.

Report of the Commissioner of Labor—165 copies for the use of the senate, 500 for the use of the house, and 2,000 for the commissioner.

*Be it further resolved*, That the above reports shall consist of the reports of the office proper to the general assembly, to be bound in paper, not to exceed in extent 300 printed pages, and shall be the same type as heretofore used.

*Be it further resolved*, That the reports above enumerated, together with the governor's messages and inaugural address, shall constitute the appendices to the journals of the senate and house of representatives, but the printer shall have pay for only one setting of the type, as now required by law.

*Be it further resolved*, That the sergeant-at-arms be required to put the number to which each member is entitled on each member's desk.

Adopted January 23, 1893.

RALPH DAVIS,

*Speaker of the House of Representatives.*

WM. C. DISMUKES,

*Speaker of the Senate.*

Approved February 2, 1893.

P. TURNEY,

*Governor.*

NUMBER 20.

*Be it resolved by the General Assembly of the State of Tennessee, That the house and senate meet in joint convention at 12 m. for the purpose of receiving and paying due respect to Adlai E. Stevenson, vice-president elect of the United States.*

Adopted January 13, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved January 14, 1893.

JOHN P. BUCHANAN,  
*Governor.*

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NUMBER 23.

*Be it resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of the house and two on the part of the senate be appointed by their respective speakers to investigate the accounts and vouchers of the superintendent of the capitol, and report to their respective body at an early date.*

Adopted January 13, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

The governor having failed to approve the above joint resolution within the time prescribed by law, the same becomes operative under the provisions of the constitution of the state providing for such contingencies.

REAU E. FOLK,  
*Chief Clerk of the House of Representatives.*

CARUTHERS EWING,  
*Chief Clerk of the Senate.*



NUMBER 30.

WHEREAS, Several volumes of Heiskell's and Lea's supreme court reports are out of print, and are badly needed all over the state, and the state owning the plates of said volumes;

*Be it resolved by the General Assembly of the State of Tennessee,* That the state printer be allowed to print three hundred (300) copies of each of said volumes, on condition that he pay into the state treasury one hundred and eighty-seven dollars (\$187.50) in cash for each of said volumes of which the state owns the plates, in all fifteen hundred dollars (\$1,500), prior to the removal or use by him of any of said plates; and,

*Be it further resolved,* That the secretary of state be, and is hereby, authorized, upon payment of said \$1,500, to deliver said plates upon demand of the public printer, and to see that no more than three hundred copies of each volume are printed, and, when reprint is made, to have said plates returned to the vaults of the capitol; and,

*Be it further resolved,* That the price per volume of said reports sold to counties and citizens of this state shall not exceed the sum of three dollars (\$3).

Adopted April 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 31.

*Resolved by the General Assembly of the State of Tennessee,* That the state printer be, and he is hereby, directed to publish one hundred and fifty cards, giving a scale of rates for state printing, by means of which it can be ascertained with some degree of certainty

the cost accruing upon orders made for printing by the general assembly.

Adopted January 25, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

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### NUMBER 32.

*Resolved by the General Assembly of the State of Tennessee, That the election by the board of trustees of the University of Nashville, of J. M. Dickinson and John Hill Eakin as trustees to fill vacancies in said board be, and the same is hereby, confirmed.*

Adopted January 30, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved February 2, 1893.

P. TURNEY,  
*Governor.*

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### NUMBER 35.

WHEREAS, Several bills are pending in this general assembly in regard to a new penitentiary and coal lands; and,

WHEREAS, It is important that this general assembly have all the information possible in regard to said penitentiary, coal lands, etc.; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the speakers of the two houses ap-*

point a committee of three on the part of the house and two on the part of the senate, whose duty it shall be to get information as to the probable cost of the new penitentiary, the approximate value and location of coal lands for sale, also the approximate value of the old penitentiary and grounds, and make a report to this general assembly at an early day.

Adopted January 25, 1893.

JNO. H. TRICE,

*Speaker pro tem. of the House of Representatives.*

WM. C. DISMUKES,

*Speaker of the Senate.*

Approved March 11, 1893.

P. TURNEY,

*Governor.*

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### NUMBER 38.

WHEREAS, The legislature of 1891 appropriated the sum of \$30,000 for the improvement and ventilation of the capitol; and,

WHEREAS, Before said appropriation was made architects furnished plans and specifications that said works could be done for \$30,000, or less; and,

WHEREAS, A board was created for the expenditure of said sum of money, and it is generally understood that there are certain bills on said improvements remaining unpaid amounting to about \$7,000 or \$8,000 in excess of said amount so appropriated; now,

*Be it resolved*, That the speaker of this house appoint a committee of three and the speaker of the senate a committee of three to investigate how said \$30,000 was used, and if the work was done according to contract, and if the improvements cost more than the amount appropriated for that purpose, how and why the excess over the architect's figures and estimates, and how much remains unpaid.

*Resolved further*, That said committee have full power to send for persons and papers, if necessary, and to report to this house who composed the board or the expenditure of said \$30,000, and whether or

not said board took the bid of more than one firm or not, and to report who the bidders on said work were and their figures, and whether the bid was let to the lowest bidder.

*Resolved further,* That said committee ascertain and report to this house wherein the work done was different from that called for by the architect's figures on which said appropriation was made, and by whose authority said work in excess of estimates so made was done, and whether said work was in compliance with said contract so let according to the appropriation made.

*Resolved further,* That said committee be requested to report any information to the house they may deem advisable relative to the expenditure of said appropriation.

Adopted January 31, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved February 2, 1893.

P. TURNEY,  
*Governor.*

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## NUMBER 43.

WHEREAS, We, the members of the Forty-eighth General Assembly of Tennessee, have heard with profound regret of the death of the eminent statesman, jurist, and soldier, the Hon. L. Q. C. Lamar, late associate justice of the supreme court of the United States; and,

WHEREAS, Justice Lamar was a native of our own beautiful southland, a man of heroic mold, eminent in belles-letters, of wonderful acquisition in political and historic lore, as well as legal learning, of unquestioned integrity and purity of character, always true to his convictions, and commanding the admiration

of his political opponents, and generous to every foe; therefore,

*Be it resolved by the House of Representatives of the Forty-eighth General Assembly of the State of Tennessee, the Senate concurring, That in the death of Judge Lamar the country has sustained an irreparable loss, his native state, Mississippi, the loss of an eminent and fearless citizen, and his family and friends the loss of one of inestimable worth to them.*

*Resolved further, That the clerk of the house is hereby instructed to furnish a copy of this resolution to the family of the deceased statesman.*

Adopted January 30, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

R. M. BARTON, JR.,  
*Speaker pro tem. of the Senate.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

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#### NUMBER 44.

WHEREAS, The sad intelligence of the death of Col. N. Y. Cavitt, of Henry County, has just reached us; and,

WHEREAS, He was a distinguished member of the lower house of the thirtieth and thirty-first general assemblies of the state; and,

WHEREAS, As such legislator he proved himself useful, worthy, and able; and,

WHEREAS, He was a man of honesty and integrity, a patriot whose every sympathy was with the people, and their best interest as he understood them; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That we deeply deplore the loss to our country occasioned by his death; that we as a body*

tender our condolence to his grief-stricken family;  
and that a copy of this resolution be sent to his wife.

Adopted January 30, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

R. M. BARTON, JR.,  
*Speaker pro tem. of the Senate.*

Approved February 9, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 48.

WHEREAS, The legislature of the State of Tennessee has, in its wisdom, seen proper to buy the "Hermitage," the home and resting-place of our own illustrious citizen, Gen. Andrew Jackson; and,

WHEREAS, The ladies who have charge of said premises, have an option until July, 1893, on all the relics and personal property once belonging to General Jackson; and,

WHEREAS, The ladies, as aforesaid, are anxious to secure to the State of Tennessee, forever, said relics and property; therefore,

*Be it resolved by the Forty-eighth General Assembly of the State of Tennessee, That a special committee of seven on the part of the house and five on the part of the senate, be appointed by the respective speakers thereof, to investigate and report to the present general assembly, as early as practicable, the advisability of the state purchasing said relics and property.*

Adopted March 17, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 20, 1893.

P. TURNEY,  
*Governor.*

NUMBER 53.

DIRECTING the appointment of commissioners to locate the positions of the lines of the battle of Tennessee troops on the battle-fields of Chickamauga and Chattanooga.

WHEREAS, The Congress of the United States has provided by an act, approved August 19, 1890, for the establishment of a national military park, to embrace the battle-fields of Chickamauga and Chattanooga and the approaches thereto; and,

WHEREAS, The same act provides that it shall be lawful for the authorities of any state having troops engaged either at Chattanooga or Chickamauga to enter upon the lands and approaches of said park for the purpose of ascertaining (and marking) the lines of battle of troops engaged therein and reporting the same to the park commissioners for final approval by the secretary of war; therefore,

1. *Be it resolved by the General Assembly of the State of Tennessee*, That the governor of the State of Tennessee shall be, and he is hereby, authorized to appoint a commission, consisting of ten citizens of the State of Tennessee, eight of whom shall have served in the confederate army and two in the federal army, to ascertain the positions of the lines of battle of the soldiers of Tennessee who fought in those battles, and to report the same to the park commissioners (to the end that such lines may be suitably marked).

2. *Be it further resolved*, That in the execution of the trust confided to this commission, it is authorized and enjoined to avail itself of the information and advice and judgment of the members of the different military organizations of Tennessee that took part in the battles of Chickamauga and Chattanooga.

3. *Be it further resolved*, That the commission is hereby authorized to audit, and out of the funds to be appropriated, to pay the reasonable expenses (not to exceed five hundred dollars) of such members of the several Tennessee military organizations as shall visit the battle-fields of Chickamauga and Chattanooga upon the invitation of the said commission, to enable it to execute the trust confided to it by this resolution. And said commission shall keep an accurate

account of all its disbursements, and make a full report thereof, and of the execution of its trust, to the governor, on or before the 15th day of November each year during the continuance of said trust.

4. *Be it further resolved*, That the sum of five hundred dollars (\$500) shall be included in the general appropriation bill to be passed at this session, and shall be appropriated out of any funds in the state treasury not otherwise appropriated, to be drawn by said commission through its chairman and secretary (to be selected by the commissioners themselves), and used by said commissioners as hereinbefore provided.

Adopted February 9, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved March 11, 1893.

P. TURNEY,  
*Governor.*

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## NUMBER 56.

*Be it resolved by the General Assembly of the State of Tennessee*, That 35,000 copies of the report of the commissioner of agriculture, viz.: "Tennessee, its Resources, etc," be printed for judicious distribution at the World's Columbian Exposition, and elsewhere, by the Commissioner of Agriculture of the State of Tennessee; *Provided*, Said report shall not cost more than eleven cents each.

Adopted March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 8, 1893.

P. TURNEY,  
*Governor.*



NUMBER 59.

WHEREAS, It appearing that the crime of murder was committed in the county of Fayette, on the 1st day of May, 1892, and that same was committed by Jonas Smith, and that said Jonas Smith made good his escape from the State of Tennessee; but that afterwards, on the 25th day of September, 1892, he was arrested in the county of Madison, in the State of Alabama, and not requiring a requisition, was conveyed by T. H. Griffin, a regular deputy sheriff of Fayette County, Tennessee, back to the county of Fayette, and was afterward, at the September term, 1892, of the circuit court of Fayette County, tried and convicted of murder, and sentenced to the penitentiary, and is now serving a term of imprisonment therein.

WHEREAS FURTHER, That it was due to the efforts of Frank M. Knox, the sheriff of said county of Fayette, that said Jonas Smith was apprehended, tried, convicted, and sentenced to the penitentiary, and that said Frank M. Knox assumed all the expenses of said capture, there being no person willing or desirous of incurring same, and unless said sheriff had furnished the money to secure said criminal in another state, he would now be at large.

WHEREAS FURTHER, The actual expenses incurred by sending said deputy sheriff to Alabama by Sheriff Knox was as follows: 374 miles, going and returning, at 8 cents, \$29.92; mileage for defendant, one way, 187 miles, \$5.61; total, \$35.53; which amount was paid out of his own funds by Sheriff Knox.

WHEREAS FURTHER, Said amount was certified by C. A. S. Shaw, clerk of the circuit court of said county, in the bill of costs sent to the comptroller, and by him disallowed; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That Frank M. Knox be paid the sum of thirty-five dollars and fifty-three cents to reimburse him for money actually expended in securing the arrest of Jonas Smith, convicted and sentenced to the penitentiary from Fayette County for murder, and that the comptroller issue his warrant for said amount*

to said Frank M. Knox, and that the same be included in the general appropriation bill.

Adopted April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 6, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 63.

WHEREAS, The report of the commissioner of labor and inspector of mines will require more than three hundred pages, and this being the first report coming from this office, and it is for distribution among the laboring men of the state; therefore,

*Be it resolved*, That the printer is hereby ordered to print the report in full.

Adopted April 7, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

NUMBER 74.

*Be it resolved by the House of Representatives, the Senate concurring,* That the committee appointed to investigate the offices of comptroller and treasurer of the state are hereby granted an extension of time in which to complete their labors, it being impossible to perform the duties imposed upon them without such extension; *Provided,* Said extension of time shall not exceed sixty days.

This extension is allowed because a full and complete investigation cannot be held without the same, and upon statement of same committee, based upon a partial examination, that it is necessary to the full and accurate performance of their duties, that their labors continue.

No allowance shall be allowed said committee except the usual per diem of a member of the legislature restricted to days of actual service, and such expenses of experts and witnesses as are actually necessary. Said committee shall fully and accurately report and file with the governor the result of their labors, in writing.

Adopted March 31, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 4, 1893.

P. TURNEY,  
*Governor.*

NUMBER 78.

WHEREAS, A United States Circuit Court of Appeals has been established, sitting at Cincinnati, for the four states, Tennessee, Kentucky, Ohio, and Michigan; and,

WHEREAS, A large majority of the appeals to that court from this state are there upon Tennessee law and Tennessee adjudications; and,

WHEREAS, It would greatly convenience Tennessee lawyers in attendance upon that court to have in the library pertaining to that court the reports of this state; therefore,

*Be it resolved by the General Assembly of the State of Tennessee, That the librarian of this state be, and is hereby, authorized to furnish said appellate court with one volume of each surplus number of state reports now in the vaults and belonging to the state, or which may hereafter be purchased by the state.*

Adopted April 10, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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## NUMBER 80.

WHEREAS, By Senate Joint Resolution No. 13, a joint committee was raised to examine the accounts and vouchers of the offices of treasurer and comptroller, and said committee have made, and are making, a most thorough investigation of said offices; therefore,

*Be it resolved by the House of Representatives, the Senate concurring, That should it be shown, by said investigation, that any money or funds belonging to the State of Tennessee, or any of the people of the state, has been misappropriated, or that any of the taxes, money, or funds of the state has not been paid into the treasury, whereby the state has lost the interest on said taxes or funds, the attorney-general of the state is hereby authorized and directed to institute suit or suits for all sums of money misappropriated, and for all sums of interest on money wrongfully*

withheld from the treasury, if, in his judgment, the same can be collected.

Adopted April 4, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

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NUMBER 82.

*Be it resolved by the General Assembly of the State of Tennessee, That the one million dollars of Tennessee bonds, issued under the act of the Forty-seventh General Assembly, passed March 29, 1891, and approved March 30, 1891, numbered from 470 to 1,469 inclusive, and now deposited with the state's fiscal agent in the city of New York, be, and the same are hereby, directed returned to the State of Tennessee, and for this purpose the treasurer of the state is directed and empowered to take possession of the same bonds and return the same to the state, and the expense of so doing is ordered included in the general appropriation bill.*

Adopted April 3, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 5, 1893.

P. TURNEY,  
*Governor.*

NUMBER 100.

WHEREAS, Your committee appointed under Senate Joint Resolution No. 30, to investigate the contention between the state and the Tennessee Coal, Iron, and Railroad Company, the lessees of the convicts of the state, such contention having grown out of the mining trouble in East Tennessee, has recommended that a commission be appointed, with full power and authority to make a fair and equitable settlement of all matters of controversy between the state and said lessees;

*Be it resolved by the House of Representatives of the State of Tennessee,* That a commission be, and the same is hereby, created for the purpose of making a compromise, adjustment, or settlement of all claims and counter claims existing between the Tennessee Coal, Iron, and Railroad Company and the State of Tennessee.

*Be it further resolved,* That said commission shall consist of the governor, the comptroller of the treasury, and the treasurer of the state.

*Be it further resolved,* That full authority is vested in said commission to settle differences existing between the aforementioned parties, and said agreement, settlement, or compromise shall be final and binding upon both parties when assented to by the Tennessee Coal, Iron, and Railroad Company; *Provided,* That the settlement herein provided for shall be made within ninety days, and if not so made, the suits now pending shall be proceeded with as if this resolution had not passed, and provided that the settlement shall not be made unless it is approved by all the officers above named.

Adopted April 10, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

WM. C. DISMUKES,  
*Speaker of the Senate.*

Approved April 10, 1893.

P. TURNEY,  
*Governor.*

## HOUSE RESOLUTIONS.

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### NUMBER 1.

*Resolved by the House of Representatives,* That the treasurer be, and is hereby, authorized to pay the sergeant-at-arms, assistant sergeant-at-arms, four dollars a day from December 26th to January 6, 1893; Mike Sullivan and I. W. Tribble, and the four porters, Charley Johnson, John Field, Joe Fryson, and Frank Avery two dollars a day, the time to be fixed by the superintendent of the capitol, Thomas J. Bonner.

Adopted January 6, 1893.

RALPH DAVIS,

*Speaker of the House of Representatives.*

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### NUMBER 2.

*Be it resolved by the House of Representatives, Forty-eighth General Assembly,* That the treasurer be instructed to pay to C. W. Crockett, the chief clerk of the house of representatives of the Forty-seventh General Assembly for services rendered from the 31st day of December, 1892, to the 6th day of January, 1893, inclusive, at the regular rates paid the chief clerk, and that the amount be included in the general appropriation bill.

Adopted January 6, 1893.

RALPH DAVIS,

*Speaker of the House of Representatives.*

NUMBER 3.

*Be it resolved, That the speaker be, and is hereby, authorized to appoint a journal clerk, whose duty it shall be to write the journal of each day's proceedings, and that compensation therefor be included in the general appropriation bill.*

Adopted January 6, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 4.

*Be it resolved by the House of Representatives, That the clerk be, and is hereby, instructed to prepare and cause to be laid on the desk of each member of the house every Monday morning, on and after January 16, a revised calendar, showing the business of the house, status of bills and resolutions, by whom introduced, and the action taken by the house thereon.*

Adopted January 6, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 6.

*Be it resolved by the House of Representatives, That the sergeant-at-arms call upon the secretary of state and procure a copy of the code for the use of each member, and deliver the same, taking the member's receipt for the same, which receipt shall be filed with*



the state treasurer, and the value of said code charged up to him. At the close of the session, or when the member desires, he may return the same to the secretary of state and take his receipt for same, which receipt shall be a voucher for the value of the book with the treasurer of the state.

Adopted January 6, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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### NUMBER 8.

*Be it resolved by the House of Representatives, That the secretary of state be, and is hereby, authorized to purchase the codes ordered under Resolution No. 6, passed January 6, 1893, if he has not the same in his possession.*

AMENDMENT: That the word "Code" be stricken out, and insert "Miliken & Vertrees' Compilation of the Laws of Tennessee."

Adopted January 9, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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### NUMBER 9.

*Be it resolved by the House of Representatives, That the sergeant-at-arms be, and is hereby, instructed to purchase for the use of the members of the house, for the purpose of mailing public documents to their constituents, five dollars worth of postage stamps, and hat the same shall be included in the general appropriation bill.*

Adopted January 7, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

NUMBER 10.

*Be it resolved by the House of Representatives of Tennessee, That the five porters of the present house of representatives, viz., Mack Wellington, William Steale, Sylvanus Martin, Richard Burnley, and Alfred Whitley, be allowed the sum of \$2.50 per day, each, for their services as such, instead of \$4.00 per day, as they formerly were.*

Adopted January 10, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 12.

*Resolved, That the sergeant-at-arms be authorized to have put up in the committee rooms racks, that the members of this body may have some place to deposit their top-coats and hats, and the cost of the same be included in the appropriation bill.*

Adopted January 9, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 13.

*Be it resolved by the House of Representatives of the Forty-eighth General Assembly, That the assistant clerk is hereby instructed to prepare a roster of the officer and members of this body for the use of the senate house, and officers, and that 250 copies be printed and presented for distribution at an early date.*

Adopted January 10, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

NUMBER 14.

*Be it resolved by the House of Representatives of the Forty-eighth General Assembly, That the sergeant-at-arms be authorized to have all the necessary repairs made on the desks of the members of the house, and that the same, subject to approval of the speaker and clerk, be included in the general appropriation bill.*

Adopted January 10, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 15.

*Resolved, That the house extend their sympathy to the family and friends of Capt. Tom Gregory, of Franklin County, who died Sunday, January 8, 1893.*

Adopted January 10, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 16.

WHEREAS, It has pleased Almighty God in the mysteriousness of his providence to permit Capt. Joseph L. Spurrier, Capt. Stephen D. Mather, and Maj. N. Creet Cardwell, two of them gallant soldiers in the confederate army, and one a gallant soldier in the union army, and all efficient and faithful officers of the federal government, to be brutally murdered, in Lincoln County, Tennessee, while in the discharge of their duty; therefore,

1. *Be it resolved, That the heartfelt sympathy of the House of Representatives of the State of Tennes-*

see be, and is hereby, extended to the poor and heart-broken widows and orphans of these poor men.

2. *Be it further resolved*, That the clerk of this house be, and is hereby, ordered to have these resolutions engrossed and a copy sent to the widows of each.

Adopted January 11, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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## NUMBER 17.

WHEREAS, There has been a multiplicity of resolutions offered before this body to instruct our representatives in congress as to how they shall vote on the anti-option bill, silver bills, etc., which in effect ask this body to assume responsibilities which rightfully and properly belong on the shoulders of our said representatives in congress; therefore,

*Be it resolved by this body*, That our senators and representatives in congress are men of good judgment and sound discretion, and that the obligation and responsibility of truly and faithfully representing their constituency on said measures above referred to be left to them, without attempted interference on our part.

Adopted January 11, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

NUMBER 18.

*Be it resolved*, That the comptroller be, and he is hereby, instructed to draw his warrant in favor of the sergeant-at-arms of the house for the five dollars for each member of the house of representatives to purchase stationary, as provided by act of the General Assembly of 1889, page 456.

Adopted January 11, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 20.

*Be it resolved by this body*, That the sergeant-at-arms be required to have the table of the engrossing clerk of the house recovered, and that he furnish said clerk with an easy chair, and that all of same be included in the general appropriation bill.

Adopted January 14, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 22.

*Be it resolved by the House of Representatives*, That the sergeant-at-arms be, and he is hereby, directed to have the safe in the engrossing clerk's room opened, and that the cost for same be included in the general appropriation bill.

Adopted January 16, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

NUMBER 24.

WHEREAS, At the assembling of the Forty-seventh General Assembly, an expert was employed, at an expense to the state, to open the safe now in the engrossing clerk's room; and,

WHEREAS, The combination has again been lost, and the same expense incurred; therefore,

*Be it resolved by the House of Representatives, That it shall be the duty of the sergeant-at-arms to procure the combination to said safe, and the same be filed with the secretary of state, that the combination may be obtained by future legislatures without further expense of the state.*

Adopted January 18, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 25.

*Be it resolved by the General Assembly of the State of Tennessee, That the sergeant-at-arms be, and is hereby, authorized to have the outer door of the chamber of the house so padded as to deaden the sound.*

*Be it further resolved, That the cost of same be included in the general appropriation bill.*

Adopted January 19, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

NUMBER 26.

*Be it resolved by the House of Representatives, That the speaker of the house shall be ex officio a member and chairman of the standing committee on rules.*

Adopted January 18, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 31.

*Be it resolved by the House of Representatives of the Forty-eighth General Assembly of the State of Tennessee, That the sum of fifteen dollars (\$15) be paid to H. C. Musgrove for opening and repairing the safe in the office of the engrossing clerk, the combination of which safe having been forgotten by the former incumbent, and the services of an expert being necessary for the opening of said safe.*

Adopted January 30, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 32.

*Be it resolved by the House of Representatives, That the speaker notify the chairman of the several standing committees to have the hour said committee meets each day, and also the number of room they meet in written on the blackboard at opposite sides of the house by 12:30 noon and 4 P.M. of each day, so the members may be informed on this subject.*

Adopted January 26, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

NUMBER 33.

*Resolved by the House of Representatives, That a committee of three be appointed by the speaker to investigate the necessity of having the electric light turned on afternoon for the purpose of enabling the porters to clean up this house, which, I understand, is at a cost of five dollars every time said light is turned on.*

Adopted January 24.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 36.

*Be it resolved by the House of Representatives, That the use of the hall of representatives be, and the same is hereby, given to members of the legislature and citizens of Nashville, Thursday evening, February 2, 1893, for the purpose of hearing an address by Rev. J. H. Bryson, of Huntsville, Alabama, upon the subject of Nicaragua Canal.*

Adopted January 31, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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NUMBER 38.

*Be it resolved by the House of Representatives, That the use of this hall be tendered to Mrs. Mary H. Hunt, life director of the National Teachers' Association, and superintendent of the educational department of the World's and Woman's Christian Temperance Union of the United States, for the purpose of discussing the necessity of having taught in our public*



schools, scientific temperance and effects of alcoholic drinks and narcotics on the human system, on Friday night, the 3d inst.

Adopted February 2, 1893.

RALPH DAVIS,  
*Speaker of the House of Representatives.*

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#### NUMBER 42.

WHEREAS, Certain merchants and other persons furnished to the state militia and citizen soldiers certain arms, ammunition, and provisions on order of the governor during the months of July and August, 1892, for the use of the State of Tennessee, to be used for quelling the riot at Coal Creek and other points; and,

WHEREAS, The names of the parties furnishing said arms, ammunition, and provisions, and the amounts and prices thereof, are unknown; therefore,

*Be it resolved*, That the speaker of this house appoint a committee of five to investigate and report as early as possible the names of the parties furnishing arms, etc., together with the amount and prices thereof, and upon what authority so furnished; and said committee is authorized to send for persons and papers in order to ascertain all necessary information.

Adopted February 9, 1893.

JNO. H. TRICE,  
*Speaker pro tem. of the House of Representatives.*

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#### NUMBER 43.

WHEREAS, In the taking of the testimony in the contested election case of Kerber v. Massengill, now pending before the election committee of the house,

it became necessary to employ a stenographer to take down the testimony of the witnesses examined before said committee. The said election committee thereupon employed one Miss Jennie Turrentine, a competent stenographer, who discharged the duties to the satisfaction of said committee, and has filed with the committee her account for services, which is hereto attached; therefore,

*Be it resolved by the House of Representatives, That the comptroller be, and is hereby, instructed to draw his warrant in favor of the said Miss Jennie Turrentine for sixty dollars (\$60), and that the same be included in the general appropriation bill.*

Adopted February 9, 1893.

JNO. H. TRICE,

*Speaker pro tem. of the House of Representatives.*

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NUMBER 46.

*Resolved, That the clerk of the house be required to have 250 copies of the testimony taken in the Kerber-Massengill case printed for the use of the house of representatives, and that the expense of the same be included in the general appropriation bill.*

Adopted February 10, 1893.

JOHN H. TRICE,

*Speaker pro tem. of the House of Representatives.*

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NUMBER 48.

*Be it resolved by the House of Representatives, That the speaker is hereby empowered to appoint an assistant to help the engrossing clerk, and that the cost of the same be included in the general appropriation bill.*

Adopted February 10, 1893.

JNO. H. TRICE,

*Speaker pro tem. of the House of Representatives.*

NUMBER 49.

*Resolved*, That the committee appointed under House Resolution No. 42 be permitted to go to Knoxville, Tenn., during recess for the purpose of taking proof, investigating accounts, etc. (as provided in said resolution), this being much cheaper to the state than sitting in Nashville.

*Be it further resolved*, That the expenses of said committee shall be provided for in the general appropriation bill.

Adopted February 11, 1893.

JNO. H. TRICE,

*Speaker pro tem. of the House of Representatives.*

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NUMBER 50.

WHEREAS, Joseph Howard, colored, porter of the water-closets, was on duty from the 30th of December until the 1st of February under the former superintendent, and from the 1st of February until the 9th under the present superintendent; and,

WHEREAS, The present superintendent has discharged said porter;

*Be it resolved by the House of Representatives*, That the said porter be paid by the treasurer for services rendered.

*Be it further resolved*, That the superintendent, J. M. Charles, be allowed to pay his porters for their work up to date.

Adopted February 11, 1893.

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

NUMBER 51.

WHEREAS, The number of members of this house is three times as large as the senate; and,

WHEREAS, The senate has the same number appointed on the redistricting committee as the house; and,

WHEREAS, The work of said redistricting committee is of great importance to the business interests to the State of Tennessee; therefore,

*Be it resolved*, That the speaker of the House of Representatives of the Forty-eighth General Assembly of the State of Tennessee be authorized to at once appoint on said redistricting committee two additional members to said committee from each grand division of the state.

Adopted February 11, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 53.

*Be it resolved by the House of Representatives of the State of Tennessee*, That it is the opinion of the house of representatives of the Forty-eighth General Assembly, that the Hon. Ralph Davis should immediately resign as speaker, and that his resignation is hereby requested.

Adopted March 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

NUMBER 53.

WHEREAS, It is believed that so much dirt and other nauseous substances have accumulated in and under the carpet upon the floor of this house that the health of members of house is being injured by inhaling same;

*Be it therefore resolved,* That the superintendent of the capitol have the carpet taken up, and the floor of the house thoroughly cleaned and the carpet dusted and replaced during the recess, and that the expense of same be provided for in the general appropriation bill.

Adopted February 11.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 54.

*Be it resolved by the House of Representatives of the State of Tennessee,* That the Hon. Ralph Davis, speaker of the said house of representatives, having been found guilty, by the circuit court of Shelby County, of certain grave charges of conduct unbecoming an officer and a gentleman, is hereby removed from the office of speaker of the house of representatives of the State of Tennessee, and said office of speaker is hereby declared vacant.

Adopted March 8, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

NUMBER 56.

WHEREAS, The Nashville Gas Light Company has presented to the superintendent of the capitol a bill of two hundred and fifty-six dollars and sixty-eight cents for lights furnished the capitol for the month of February, 1893; and,

WHEREAS, The superintendent thinks the bill too large, and that there must be a great wrong somewhere; and,

WHEREAS, The superintendent is of opinion that an electric dynamo can be planted on the capitol grounds and several lights put in the yard, and operate for much less money per annum than at present; therefore,

*Be it resolved*, That the speaker of the house appoint a committee to investigate the justness of said claim, and also cost, or probable cost, of establishing a gas or an electric plant on the grounds, and as near all the posts as possible, in reference to the same.

Adopted March 11, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 60.

WHEREAS, The speaker of this house ordered the sergeant-at-arms to purchase and lay down matting in the aisles of the house; and,

WHEREAS, The house subsequently ordered the payment to be made by the superintendent of the capitol; and,

WHEREAS, The party from whom the matting was purchased has rendered a bill to the sergeant-at-arms greatly in excess of the contract price; therefore,

*Be it resolved*, That the sergeant-at-arms present said account to the committee on accounts, who will thoroughly investigate the matter and report to the house.

Adopted March 11, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

NUMBER 61.

WHEREAS, There is a large amount of work before this house to be done, and there only remains about thirty days until the close of the present session; therefore,

*Be it resolved by the House of Representatives, That hereafter night sessions shall be held respectively on Tuesday and Thursday nights of each week, for the purpose of considering local measures, commencing at 7:30 P.M.; Provided, That nothing in this resolution shall be so construed as to prevent the house from holding night sessions oftener, if so desired and found necessary.*

Adopted March 11, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 63.

*Be it resolved by the House of Representatives of the State of Tennessee, That the bill of two dollars and fifty cents (\$2.50) for felt furnished by the Rosenheim Company, and the bill of one dollar and seventy-five cents (\$1.75) for soap, towels, brush, and comb, furnished by William Glidewell, for the use of the house of representatives, be allowed them.*

Adopted March 14, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

NUMBER 64.

*Be it resolved by the House of Representatives, That the sum of fifty dollars be paid to Warren Glidwell, former night watchman of the capitol, for services rendered and expenses incurred by him in attending to the water-closets in the capitol from the first of January, 1893, to the first of February, 1893, and the same be provided for in the appropriation bill.*

Adopted March 17, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 66.

*Resolved by the House of Representatives, That the special committee heretofore appointed under House Resolution No. 58 be, and it is, authorized and directed to report (1) whether any action should be taken on the charges against the judge of the criminal court of Shelby County; and (2) if any action should be taken thereon by this house, whether the same should be by way of impeachment or concurrent resolution to remove.*

Adopted March 17, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 67.

WHEREAS, Through the bountiful dispensation of an all-wise Providence, and the heroism of our patriotic sires, we, the citizens of this grand and free republic, knowing, feeling, and appreciating the priceless boon of self-government in its highest, holiest, and truest sense, and mindful of the days when the substantial sympathy of the liberty-loving people of the world was extended to us in our struggle for right and justice; therefore,



*Be it resolved by the House of Representatives of the Forty-eighth General Assembly of the State of Tennessee, That we express our cordial sympathy with Hon. Wm. E. Gladstone in his noble and manly effort to return to Ireland her inherent right to self-government.*

Adopted March 17, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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#### NUMBER 68.

*Resolved by the House of Representatives of the State of Tennessee, That as it is of great importance to this house that all bills should be promptly and correctly engrossed; therefore,*

*Be it further resolved, That it shall be the special duty of the sergeant-at-arms to keep the engrossing-room cleared.*

Adopted March 17, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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#### NUMBER 69.

WHEREAS, It is reported that the arms and equipments of the military department of the state are in a wasteful and neglected condition; and that within the last year the loss, waste, and destruction in said department already amounts to several thousand dollars; and that in some instances these arms have been used by private parties for purposes other than those provided by law, and from which use practical destruction has been the result; therefore,

*Be it resolved*, That the committee on military affairs be, and is hereby, granted the usual powers for a thorough inquiry, and that investigation be promptly made, and that said committee report as soon as practicable by bill or otherwise.

Adopted March 17, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 72.

WHEREAS, The house of representatives have just had a new carpet placed upon the hall, and the same should be protected by matting being placed upon the aisles and in front of speaker's stand, and that matting has already been procured sufficient for said purpose; therefore,

*Be it resolved by the House of Representatives*, That the sergeant-at-arms be directed to have the aisles so protected by having the said matting placed in position.

Adopted March 21, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 73.

*Resolved by the House of Representatives*, That in holding night session under House Resolution No. —, that the provisions of the same be extended to the consideration of house bills on second reading, and senate bills on first and second reading.

Adopted March 21, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

NUMBER 74.

*Be it resolved by the House of Representatives, That the committee appointed to take proof to sustain articles of impeachment against Judge J. J. DuBose be instructed to take such proof as, in their opinion, will justify this house in the impeachment and removal of said judge, subject to the final action of the senate without restriction; and said committee shall submit their findings, and the proof taken, to this house with their report.*

Adopted March 21, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 75.

*Be it resolved by the House of Representatives, That the special committee appointed by the chair to report upon the charges against J. J. DuBose be empowered to employ a stenographer to report such proof as they deem fit, and the cost for the same be included in the general appropriation bill.*

Adopted March 21, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 77.

*Be it resolved by the House of Representatives, That we do hereby condemn in unmeasured terms the unwarranted attack made by Messrs. Kyle and Gammon upon Senator Barton and the members of said committee, in a publication made in the Nashville Banner, and we hereby express our utmost confidence in the correctness of the report made by said committee to this body. It is the sense of this body that the high*

character of Senator Barton and his associates be, and is hereby, sustained, and we believe said publications are without foundation, and slanderous.

Adopted March 23, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 78.

*Be it resolved by the House of Representatives—*

(1) That J. A. Tipton, B. R. Thomas, and T. J. Tyne, heretofore appointed managers to prosecute the Hon. Julius J. DuBose, judge of the criminal court of Shelby County, before the senate, upon the articles of impeachment heretofore performed by this house, be, and they are hereby, authorized and directed to make said articles more specific in detail, phraseology, or otherwise, wherever, in their judgment, it may be necessary or proper, so as to give the accused the fullest opportunity to know specifically the charges made.

(2) The said managers are also empowered and directed to formulate such other and additional charges against the Hon. Julius J. DuBose, involving crimes committed in his official capacity as, in their judgment, are warranted under the proof heretofore taken by the special committee of this house under Resolution No. 58, and are that embraced in the articles already preferred, and to lay the same before the senate, and prosecute the same before that honorable body for and on behalf of this house.

Adopted April 4, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

NUMBER 79.

*Resolved by the House of Representatives, That the committee heretofore appointed to investigate certain charges made against Hon. Ralph Davis be, and they are, authorized to send for persons and papers, and administer oaths, if necessary, for a full and fair investigation of said charges, and report their finding to the house at as early hour as practicable.*

Adopted March 28, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 82.

**WHEREAS,** The house of representatives has learned with sadness of the death of one of our noble ladies, the wife of Col. J. M. Charles, the present superintendent of the capitol; therefore,

*Be it resolved by the House of Representatives of the Forty-eighth General Assembly of the State of Tennessee, That the most sincere sympathy of this body is hereby expressed to Col. J. M. Charles and his bereaved family, and that a copy of these resolutions be spread upon the minutes.*

Adopted March 31, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

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NUMBER 84.

**WHEREAS,** The house of representatives of the Forty-eighth General Assembly has a very large amount of important business to pass upon; and,

**WHEREAS,** There are but a few days left of this

session in which to perform this essential work ; therefore,

*Be it resolved*, That this house hold a session every night, except Sunday, beginning on Monday night, pending the remainder of this session.

*Be it further resolved*, That the consideration of all bills and measures of local and general import be in order the same as in day sessions.

Adopted April 1, 1893.

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

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NUMBER 85.

*Resolved*, That the special committee to investigate charges against the Hon. Ralph Davis be authorized and empowered to employ a stenographer to take down and transcribe the testimony.

Adopted April 3, 1893.

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

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NUMBER 93.

*Resolved*, That the superintendent of the capitol be instructed to take up the entire carpet in this room, and have the same disinfected and put away for safe-keeping until the time for the meeting of the next legislature.

Adopted April 10, 1893.

J. A. TROUSDALE,

*Speaker of the House of Representatives.*

NUMBER 94.

*Be it resolved by the House of Representatives, That the speaker of the house be, and he is hereby, authorized and directed to appoint one or more additional assistant engrossing clerks, should he deem the services of such assistant necessary; and that the compensation for the services of such clerk be included in the general appropriation bill.*

Adopted April 6, 1893.

J. A. TROUSDALE,  
*Speaker of the House of Representatives.*

STATE OF TENNESSEE,  
OFFICE OF THE SECRETARY OF STATE,  
NASHVILLE, May 18, 1893. }

I, WM. S. MORGAN, Secretary of State of the State of Tennessee, do hereby certify that I have carefully collated the foregoing acts and resolutions with original copies on file in my office, and find them correctly printed.

WM. S. MORGAN,  
*Secretary of State.*





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# CORPORATIONS.

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# CORPORATIONS

*Organized under Chapter 143, Acts of 1875, known as the "Charter Act," and acts amendatory, published herein by direction of Section 30 of said act, including domestic charters issued from January 1, 1891, to May 1, 1893.*

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
<b>A.</b>				
Atlantic & Pacific Railroad Company.....	Knox.....	Aug. 7, 1891	S	561
Automatic Musical Company, The.....	Davidson.....	Nov. 7, 1892	U U	89
American Corn Harvester Company.....	Shelby.....	July 7, 1892	U U	34
American Improvement Transportation Company.....	Davidson.....	July 16, 1892	U U	87
Albermarle Chemical Company.....	Davidson.....	Aug. 17, 1892	U	55
Angier Dry Goods Company.....	Hamilton.....	Aug. 14, 1891	U	287
American District Telegraph Company.....	Shelby.....	Jan. 28, 1891	U	847
Avoca Sulphur Spring Company.....	Sullivan.....	Sept. 11, 1891	Q	146
Allerton Land Company.....	Carter.....	Jan. 30, 1891	Q	110
American Brewing Company.....	Hamilton.....	Feb. 19, 1891	Q	115
Alton Park Company.....	Hamilton.....	April 8, 1891	Q	122
Athens Land Company.....	McMinn.....	Aug. 7, 1891	Q Q	184
Algalia Town Company.....	Loudon.....	Sept. 15, 1891	Q Q	190
Atlas Land Company, The.....	Roane.....	Dec. 11, 1891	Q Q	201
Associated Bank & Trust Company.....	Knox.....	Aug. 3, 1892	Vol. 1,	162
American Bank & Trust Company.....	Hamilton.....	May 14, 1891	Vol. 1,	145
Alpine Institute.....	Overton.....	Feb. 12, 1891	O	218
Arath Achven.....	Davidson.....	May 25, 1892	O	303
Athens Female College.....	McMinn.....	May 25, 1892	O	304
American Cotton Harvester Company.....	Shelby.....	May 28, 1892	O	305
Athenian Literary Society.....	McMinn.....	Oct. 21, 1892	O	332
Arthur College.....	Clatsborne.....	Sept. 12, 1891	O	264
American Mutual Building & Savings Association.....	Hamilton.....	Sept. 28, 1891	A 2	18
Automatic Paper-box Machine Company.....	Davidson.....	Jan. 7, 1891	P P	50
Alton Park Company.....	Hamilton.....	April 22, 1891	P P	120
Advance Printing Company.....	Roane.....	Aug. 4, 1891	P P	166
American Standard Fine Art Company.....	Davidson.....	Sept. 16, 1891	P P	197
Automatic (Gas, Fuel & Incandescent Light Company, The.....	Davidson.....	July 7, 1891	P P	327
Athenian Marble Company.....	McMinn.....	April 1, 1891	J J	141
Allthorn Seed Company.....	Shelby.....	April 10, 1891	O	123
<b>B.</b>				
Bynton & National Park Railroad.....	Hamilton.....	June 20, 1891	S	549
Burnett's Fork Coal & Coke Company.....	Clatsborne.....	Sept. 21, 1892	J J	189
Bluff Manufacturing Company, The.....	Sullivan.....	Sept. 19, 1892	J J	167
Bluff Company, The.....	Montgomery.....	Nov. 13, 1891	J J	172
Bristol Butter & Cheese Company.....	Sullivan.....	Dec. 24, 1891	J J	167
Butler Land & Manufacturing Company.....	Coffee.....	Jan. 14, 1891	J J	125
Burrows & Taylor Company.....	Warren.....	Jan. 24, 1891	J J	126
Brush Creek Iron & Mining Company.....	Davidson.....	Feb. 3, 1891	J J	127
Brown-White Company, The.....	Henry.....	.....	J J	153
Belmont Street Railway Company, The.....	Knox.....	Jan. 15, 1891	R	62
Boman Street-car Line.....	Washington.....	March 17, 1891	R	66
Bailey Auger Bit Company.....	Roane.....	July 29, 1891	P P	160
Blue Springs Mining Company.....	H. Milton.....	Feb. 28, 1892	P P	255
Bethel Presbyterian Church.....	Shelby.....	Feb. 22, 1891	P P	140
Balders' Exchange of Chattanooga.....	Hamilton.....	March 26, 1891	O	223
Belmont College.....	Davidson.....	April 6, 1891	O	230
Belle Wrenne Presbyterian Church.....	Knox.....	May 28, 1891	O	242
Beethoven Club of Memphis, Tenn.....	Shelby.....	June 22, 1892	O	310

CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary's Office.	Book.	Page.
Blount County Humane Society .....	Blount .....	Aug. 29, 1891	O	261
Burial Association .....	Davidson .....	March 5, 1892	O	283
Balton College .....	Shelby .....	April 7, 1892	O	289
Bogart High School .....	Lincoln .....	Dec. 5, 1892	O	339
Bank of Erin .....	Houston .....	May 5, 1891	Vol. 1,	142
Bank of Shawnee .....	Claiborne .....	May 5, 1891	Vol. 1,	143
Baghill Land Company .....	Hamilton .....	Feb. 14, 1891	Q	159
Big Creek Gap Improvement Company .....	Campbell .....	June —, 1891	Q	173
Bristol Building Company .....	Sullivan .....	Sept. 4, 1891	Q	189
Bessimer Co-operative Company .....	Sullivan .....	Oct. 22, 1891	Q	197
Boston Iron and Timber Company .....	Carter .....	Aug. 10, 1892	A	20
Bristol Foundry and Machine Works .....	Sullivan .....	July 15, 1891	Q	140
Balew Farrell Company .....	Hamilton .....	Feb. 16, 1891	U	209
Boone Harris Lumber Company .....	Shelby .....	Feb. 9, 1891	U	230
Brown, Latting & Rally Company .....	Shelby .....	April 3, 1891	U	240
Bristol Terra Cotta Works .....	Sullivan .....	June 1, 1891	U	252
Brown Mining Company, The .....	Roane .....	June 15, 1891	U	258
Baker Iron Company, The .....	Marion .....	July 18, 1891	U	280
Bain Manufacturing Company .....	Marion .....	Jan. 18, 1892	U	336
Bank Building Company, The .....	Roane .....	Feb. 18, 1892	U	358
Breeder and Turfman Publishing Company .....	Davidson .....	Feb. 19, 1892	U	350
Barnett, J. H., Store Company .....	Hamilton .....	March 17, 1893	U	159
Brown Company, The .....	Shelby .....	March 25, 1893	U	161
Bristol Novelty Company .....	Sullivan .....	Nov. 28, 1892	U	95
Bluff City Canning Company .....	Shelby .....	Dec. 17, 1892	U	106
Baxter Court Company .....	Davidson .....	Oct. 20, 1892	U	82
Buckeye Coke Company .....	Knox .....	July 6, 1892	U	33
Beasley Furniture Company .....	Shelby .....	May 24, 1892	U	4
Bluff City Furniture Company .....	Shelby .....	June 8, 1892	U	16
Brownville Hedge Company .....	Haywood .....	June 27, 1892	U	22
Bank of Lewisburg .....	Marshall .....	June 29, 1892	U	23
Bean's Station Improvement Company .....	Granger .....	Oct. 8, 1892	Q	121
Brusher Mountain Land Company, The .....	Knox .....	Oct. 25, 1892	Q	222
Building Loan Guarantee Company, The .....	Hamilton .....	April 20, 1892	P	228
Bedford County Mercantile Company .....	Bedford .....	July 6, 1891	U	274
Bristol Courier Company .....	Sullivan .....	Sept. 10, 1891	U	300
Blackstone Club of Memphis .....	Shelby .....	May 12, 1891	O	302
Baxter, J. J., Company .....	Shelby .....	Aug. 26, 1891	U	292
Bank of Alexandria .....	DeKalb .....	Jan. 26, 1891	P	67
<b>C.</b>				
Collier, W. C., Grocery Company .....	Davidson .....	Jan. 30, 1893	U	129
City Electric Light and Power Company .....	Davidson .....	Feb. 18, 1893	U	141
Chattanooga Furniture Company .....	Hamilton .....	March 23, 1893	U	160
Chattanooga Telephone Company .....	Hamilton .....	Nov. 28, 1892	U	96
Cumberland Gap Hotel and Park Company .....	Claiborne .....	Nov. 29, 1892	U	97
Chattanooga German Picnic Company .....	Hamilton .....	Nov. 29, 1892	U	96
Cumberland Gap Mining and Manufacturing Company .....	Claiborne .....	Jan. 9, 1893	U	116
Crescent Cotton Oil Company .....	Shelby .....	Jan. 24, 1893	U	124
Chattanooga Supply Company .....	Hamilton .....	Sept. 17, 1892	U	64
Copeland Company .....	Lincoln .....	Sept. 28, 1892	U	72
Colverville Fair Association .....	Shelby .....	Oct. 17, 1892	U	78
Cumberland Gap Canning Company .....	Claiborne .....	Aug. 11, 1892	U	50
Chickamauga Guarantee Investment Company .....	Hamilton .....	Sept. 1, 1892	U	56
Chattanooga Iron and Steel Company .....	Hamilton .....	June 7, 1892	U	14
Chapman-White-Lyons Company .....	Knox .....	July 1, 1892	U	25
Colverville Water and Manufacturing Company .....	Shelby .....	July 4, 1892	U	28
Cunningham Cable Company .....	Lewis .....	Feb. 19, 1891	U	218
Concord Savings B. and L. Company .....	Shelby .....	Sept. 28, 1892	Q	21
Columbia Driving Park .....	Maury .....	Nov. 19, 1891	P	21
Central Benefit Association, The .....	Obion .....	Feb. 12, 1892	P	25
Chattanooga Lumber Company .....	Hamilton .....	March 29, 1892	P	2
Christian Sojourners .....	Sevier .....	May 16, 1892	P	3
Cemetery Company .....	Shelby .....	July 1, 1892	P	3
Cherokee Railway Company .....	Knox .....	June 22, 1891	R	6
Chattanooga, Mission Ridge and Alton Park Railway Co. .....	Hamilton .....	July 20, 1892	R	7
Chattanooga Industrial Company .....	Hamilton .....	Sept. 21, 1892	J	18
Cumberland Creamery Company .....	Frauklin .....	Oct. 20, 1892	J	19
Chester County Association of the Elgin System .....	Chester .....	Oct. 20, 1892	J	19
Cumberland Gap Milling Company .....	Claiborne .....	Oct. 28, 1892	J	23

# CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Cedar Mountain Steel Company, The.....	Knox.....	June 18, 1891	J J	158
Cumberland Gap Spring Water Company, The.....	Claiborne.....	June 29, 1891	J J	159
Clinton Flouring Mill Company.....	Anderson.....	July 5, 1891	J J	161
Consumers' Ice, Cold, and Cold Storage Company, The.....	Davidson.....	Dec. 16, 1891	J J	173
Cumberland Coal Company.....	Davidson.....	Dec. 22, 1891	J J	175
Cumberland Electric Light and Power Company.....	Davidson.....	Feb. 18, 1892	J J	180
Clarksville Tobacco Manufacturing Company.....	Montgomery.....	Aug. 10, 1892	J J	184
Chattanooga Battery Company, The.....	Hamilton.....	March 5, 1891	J J	186
Chattanooga Compress & Cotton Company.....	Hamilton.....	April 1, 1891	J J	142
Cumberland & East Tennessee Coal Company, The.....	Scott.....	April 4, 1891	J J	144
Chattanooga Terminal Suburban Railway Company.....	Hamilton.....	April 24, 1891	J J	150
Cumberland Mountain Coal Company.....	Putnam.....	March 21, 1893	J J	243
Co-operative Mining Company, The.....	Roane.....	April 14, 1893	J J	245
Chattanooga, Kentucky & Chicago Railway Company.....	Hamilton.....	Feb. 14, 1891	S	517
Columbia & Paducah River Pike.....	Mauzy.....	Feb. 23, 1891	S	525
Columbia & Mount Pleasant Turnpike Company.....	Mauzy.....	Jan. 21, 1892	S	589
Chattanooga Terminal Railway Company.....	Hamilton.....	Nov. 16, 1892	S	613
Columbia & Mount Pleasant Turnpike Company.....	Mauzy.....	Dec. 31, 1892	S	625
Chattanooga, Sherman Heights & East Lake Railway Co.....	Hamilton.....	Feb. 10, 1893	S	641
Chattanooga Western Railway Company.....	Hamilton.....	April 17, 1893	S	661
Cumberland Park Club.....	Davidson.....	July 1, 1891	O	250
Christian Science Association of Memphis.....	Shelby.....	Aug. 15, 1891	O	257
Cumberland Lodge No. 17, K. of P.....	Montgomery.....	Nov. 13, 1891	O	275
Central Presbyterian Church of Knoxville.....	Knox.....	Nov. 30, 1891	O	277
Congregational Hiska Amuna Church.....	Knox.....	Dec. 2, 1891	O	278
Chattanooga Base-ball Association, The.....	Hamilton.....	Oct. 29, 1892	O	333
Cowan-street Christian Church.....	Davidson.....	Nov. 28, 1892	O	336
Crescent Academy Trustees.....	Polk.....	Dec. 31, 1892	O	347
Christian Fellowship.....	Hamilton.....	Dec. 31, 1892	O	348
Clinton Odd Fellows Beneft Association.....	Anderson.....	April 22, 1893	O	363
Calvary Pariah-house Association.....	Shelby.....	April 26, 1893	O	364
Capital Burial League of Nashville, Tenn.....	Davidson.....	July 16, 1892	O	315
Columbia Athletic Club.....	Mauzy.....	June 4, 1892	O	307
Chattanooga Cycle Club.....	Hamilton.....	July 22, 1892	O	316
Chattanooga Free Kindergarten Association.....	Hamilton.....	Sept. 7, 1892	O	325
Columbia Lodge No. 3, I. O. O. F.....	Mauzy.....	Sept. 10, 1892	O	326
Chattanooga National Building & Loan Association.....	Hamilton.....	Feb. 27, 1891	A 2	3
Cumberland Gap Building & Loan Association.....	Claiborne.....	March 23, 1891	A 2	7
Columbian Savings & Loan Company.....	Shelby.....	June 8, 1891	A 2	13
Chattanooga Building & Loan Association.....	Hamilton.....	Feb. 7, 1893	A 2	19
Central Guarantee Building Association.....	Knox.....	Nov. 23, 1891	A 2	22
Capital Building & Loan Association, The.....	Davidson.....	Feb. 8, 1892	A 2	25
Central Loan Association.....	Davidson.....	May 2, 1892	A 2	30
Cumberland Building & Loan Association.....	Roane.....	June 21, 1892	A 2	31
Central Building & Loan Association.....	Davidson.....	April 27, 1893	A 2	48
Commercial Loan Association of Chattanooga.....	Hamilton.....	April 3, 1893	A 2	49
Colored Sisters of Charity.....	Haywood.....	April 13, 1891	P P	112
Chattanooga Electric Light Manufacturing Company.....	Hamilton.....	April 17, 1891	P P	113
City Home Building Company.....	Hamilton.....	May 25, 1891	P P	125
Cumberland & Eureka Iron & Steel Company, The.....	Knox.....	May 29, 1891	P P	131
Co-operative Paint & Oil Company, The.....	Shelby.....	July 28, 1891	P P	155
Co-operative Oil Company, The.....	Knox.....	Feb. 3, 1892	U	353
Concord Quarry Company.....	Knox.....	March 3, 1892	U	369
Chattanooga Land & Duplex Company, The.....	Hamilton.....	March 12, 1892	U	373
Carter Thatcher Company.....	Hamilton.....	April 25, 1892	U	394
Citizens' River Transportation Company.....	Sevier.....	May 12, 1892	U	406
Crystal Springs Park Association.....	Wilson.....	May 12, 1892	U	407
Carrington Town Company.....	Knox.....	March 27, 1891	Q	130
Chickasaw Iron Works, The.....	Shelby.....	Feb. 19, 1891	Q	116
Commercial Publishing Company, The.....	Shelby.....	Jan. 30, 1891	Q	111
Cumberland, Tenn., Land Company, The.....	Anderson.....	May 24, 1891	Q A	13
Cleveland Electric Light Company.....	Bradley.....	June 22, 1891	Q A	19
Cleveland Water-works Company, The.....	Bradley.....	March 17, 1893	W	3
Cumberland Gap Building Company, The.....	Claiborne.....	April 9, 1891	Q Q	165
Citizens' Bank Block Company.....	Hamilton.....	Sept. 17, 1891	Q Q	191
Crawford Land & Investment Company, The.....	Sullivan.....	Oct. 3, 1891	Q Q	195
Co-operative Association, The.....	Knox.....	Oct. 19, 1891	Q Q	196
Chattanooga Guarantee & Investment Company.....	Hamilton.....	Oct. 22, 1891	Q Q	198
Cumberland Plateau & Improvement Company.....	Roane.....	Dec. 11, 1891	Q Q	200
Commercial Building Company.....	Sullivan.....	Jan. 13, 1892	Q Q	205
Cherokee Land Company, The.....	Knox.....	March 28, 1892	Q Q	211

## CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Central Loan & Trust Company.....	Hamilton .....	Sept. 21, 1892	Vol. 1,	163
Chattanooga Building & Storage Company.....	Hamilton .....	March 11, 1893	Vol. 1,	165
Commercial Bank of Union City.....	Obion .....	March 17, 1893	Vol. 1,	166
Chattanooga Trust Company .....	Hamilton .....	March 3, 1893	Vol. 1,	167
Citizens' Savings Bank.....	Roane .....	Jan. 6, 1891	Vol. 1,	132
Coffee County Bank.....	Coffee .....	Feb. 1, 1891	Vol. 1,	133
Clarksville Trust & Banking Company .....	Montgomery .....	May. 7, 1891	Vol. 1,	144
Central Loan & Trust Company.....	Shelby .....	Feb. 18, 1892	Vol. 1,	155
Caruthers Society of Cumberland University .....	Wilson .....	March 18, 1891	O	222
Chattanooga Academy of Science and Art.....	Hamilton .....	April 13, 1891	O	231
Chattanooga College for Young Ladies .....	Hamilton .....	May 25, 1891	O	241
Columbian Savings & Loan Company.....	Shelby .....	July 27, 1891	N	176
Chattanooga Shoe Company, The.....	Hamilton .....	Jan. 5, 1891	U	183
City Transfer Company.....	Knox .....	Jan. 7, 1891	U	185
Crown M't'n Consolidated Gold Mining & Milling Co., The.	Davidson .....	Jan. 7, 1891	U	186
Chattanooga Pulley Company.....	Hamilton .....	Jan. 8, 1891	U	187
Cameron Water-works, Construction & Plumbing Company.	Shelby .....	Jan. 12, 1891	U	189
Columbus Marble Company, The.....	Knox .....	Jan. 17, 1891	U	191
Capital Abstract Company.....	Davidson .....	Feb. 7, 1891	U	206
Chattanooga Pulley Company.....	Hamilton .....	Feb. 10, 1891	U	207
Cardiff Herald Publishing Company, The.....	Roane .....	Feb. 16, 1891	U	410
Chas. B. James Company.....	Shelby .....	Feb. 19, 1891	U	214
Cookeville Saw-mill and Lumber Company.....	Putnam .....	Feb. 27, 1891	U	223
Chattanooga Mineral District Industrial Exposition.....	Hamilton .....	March 2, 1891	U	225
Cookeville Printing & Publishing Company, The.....	Putnam .....	Feb. 12, 1891	U	231
Columbia Marble Company.....	Knox .....	April 15, 1891	U	245
Covington Abstract Company.....	Tipton .....	May 7, 1891	U	432
Chattanooga Two-stave Barrel Company.....	Hamilton .....	May 30, 1891	U	261
Church-Petty Lumber Company, The.....	Mauzy .....	June 3, 1891	U	263
Central Lumber & Manufacturing Company.....	Greene .....	June 6, 1891	U	265
Camden Co-operative Association.....	Benton .....	June 24, 1891	U	270
Cumberland Mining Company.....	Knox .....	July 13, 1891	U	279
Currey Heights.....	Putnam .....	Aug. 26, 1891	U	291
Colima Company.....	Lincoln .....	Sept. 9, 1891	U	298
Clarksville Brick-yard Company.....	Montgomery .....	Sept. 10, 1891	U	299
Cumberland Gap Agricultural Association, The.....	Claborn .....	Aug. 12, 1891	U	301
Clarksville Drug Company.....	Montgomery .....	Oct. 19, 1891	U	315
Cottage Gallery Photo. Company .....	Shelby .....	Nov. 21, 1891	U	321
Cambria Coal Company, The.....	Campbell .....	Dec. 11, 1891	U	324
Cumberland Oil Company.....	Hamilton .....	Dec. 14, 1891	U	326
Climax Co-operative Company, The.....	Hamilton .....	Jan. 9, 1892	U	332
Covington Mercantile Company.....	Tipton .....	Jan. 21, 1892	U	340
Columbia & Mount Pleasant Turnpike Company.....	Mauzy .....	Jan. 18, 1892	S	581
Chattanooga Brewing Company.....	Davidson .....	July 8, 1892	U	35

### D.

Dean & Carroll Company, The.....	Shelby .....	Feb. 23, 1893	U	150
Dyer Butter & Cheese Manufacturing Company .....	Gibson .....	Dec. 10, 1892	U	101
Daily Record Company, The.....	Hamilton .....	Sept. 27, 1892	U	70
Dixy Paint & Wall-paper Company, The.....	Shelby .....	Oct. 24, 1892	U	83
Dayton Electric Light & Power Company.....	Rhea .....	Sept. 1, 1892	U	57
Delta Cotton Company.....	Shelby .....	July 1, 1892	U	26
Dyersburg & Mississippi Railway Company, The.....	Dyer .....	March 21, 1891	S	529
Ducktown Mineral Railway Company.....	Knox .....	May 9, 1891	S	537
Del Rio Pike Company.....	Williamson .....	June 13, 1891	S	541
Ducktown Fire-brick Manufacturing Company .....	Polk .....	Feb. 8, 1892	J	215
Dunlap Broom Company.....	Squatchie .....	April 22, 1892	J	823
Doe Valley Iron Company.....	Sullivan .....	July 1, 1892	J	160
Bahl, E. K., Manufacturing Company.....	Shelby .....	Feb. 18, 1892	J	181
Dayton Flouring Mill Company (limited).....	Rhea .....	March 18, 1891	J	131
Doe River Woolen Mills, The.....	Carter .....	May 11, 1891	J	154
Doe River Woolen Mills.....	Carter .....	June 9, 1891	J	155
Deftord & South Pittsburg Street Railway Company .....	Marion .....	Feb. 24, 1891	R	64
Dandridge, New Market & Indian Cave Rapid Transit Co.....	Jefferson .....	Aug. 25, 1891	R	70
Douglass Club, of the city of Nashville.....	Davidson .....	Oct. 10, 1892	O	381
Deftord Building Society.....	Marion .....	Feb. 24, 1891	Q	117
Duck River Stave & Lumber Company.....	Humphreys .....	May 29, 1891	Q	136
Dayton Hotel Company.....	Rhea .....	May 16, 1891	U	256
Davidson Abstract Company.....	Davidson .....	Feb. 1, 1892	U	350
Draughton's Consolidated Practical Business College.....	Davidson .....	Feb. 17, 1893	U	143
Darnell, I. M., Sons Company.....	Shelby .....	Jan. 30, 1891	U	196

## CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
<b>E.</b>				
East Chattanooga Loan, Construction & Deposit Company.....	Hamilton.....	Jan. 15, 1891.....	U	190
East Knoxville Planing Company, The.....	Knox.....	Feb. 21, 1891.....	U	216
Emory River Ice Company.....	Roane.....	Feb. 21, 1891.....	U	219
East Chattanooga Boot & Shoe Company.....	Hamilton.....	May 29, 1891.....	U	259
Empire Tobacco Works, The.....	Henry.....	Aug. 31, 1891.....	U	296
East Tennessee Sanitarium.....	Knox.....	Oct. 3, 1891.....	U	309
Edora Institute.....	Lincoln.....	Oct. 17, 1891.....	U	314
Eagle Hotel Company, The.....	Fayette.....	March 2, 1892.....	U	354
East Tennessee Natural Gas & Mineral Company.....	Knox.....	March 11, 1892.....	U	371
East Tennessee & N. C. Mining Company.....	Knox.....	March 14, 1892.....	U	375
Eclectic Publishing Company.....	Hamilton.....	March 28, 1892.....	U	382
East Tennessee Land Company.....	Washington.....	Jan. 5, 1891.....	Q	101
Emory Transportation Company, The.....	Roane.....	Feb. 11, 1891.....	Q	114
East Tennessee Canning & Preserving Company.....	Knox.....	May 25, 1891.....	Q	134
East End Land Company.....	Shelby.....	Feb. 20, 1891.....	Q	161
East Carniege Land Company.....	Washington.....	April 16, 1891.....	Q	167
Elora Land Company.....	Davidson.....	June 10, 1891.....	Q	171
East Decatur Land Company.....	Hamilton.....	Sept. 21, 1892.....	Q	217
East Tennessee Loan & Trust Company.....	Washington.....	Feb. 28, 1892.....	Vol. 1,	255
East Nashville Pleasure Club.....	Davidson.....	March 19, 1892.....	O	186
Elizabethton Free Library.....	Carter.....	Dec. 5, 1892.....	O	340
East End College for Young Ladies.....	Davidson.....	June 13, 1892.....	O	309
Equitable Savings & Investment Association.....	Shelby.....	July 14, 1891.....	A 2	14
Equitable Building Association.....	Hamilton.....	March 7, 1892.....	A 2	27
East Tennessee Mining Company.....	Roane.....	July 29, 1891.....	P P	163
Empire Iron Ore Company.....	Roane.....	Sept. 2, 1891.....	P P	185
East Nashville Electric Railway.....	Davidson.....	Oct. 13, 1892.....	R	72
Empire Mill and Mining Company.....	Hamilton.....	March 15, 1892.....	J J	120
Eureka Manufacturing Company.....	Knox.....	March 2, 1891.....	J J	183
Electric Disinfectant Company.....	Davidson.....	—, 1893.....		247
Extension of Lewisburg & Duck River Turnpike.....	Marshall.....	Feb. 2, 1891.....	S	509
Edwards & Albright Company.....	Haywood.....	April 8, 1893.....	U U	165
Eaton-Darnell Table Company.....	Shelby.....	Jan. 31, 1893.....	U U	131
East End Park Land Company.....	Shelby.....	Feb. 6, 1893.....	U U	135
East Tennessee Retail Liquor Dealers' Association.....	Knox.....	Feb. 15, 1893.....	U U	142
Electric Construction Company.....	Hamilton.....	Dec. 6, 1892.....	U U	100
Erin Cement Company.....	Houston.....	Jan. 21, 1893.....	U U	121
Elizabeth Shoe Company.....	Carter.....	Oct. 17, 1892.....	U U	81
East Chattanooga Driving Park.....	Hamilton.....	July 5, 1892.....	U	29
Estenaula Club.....	McMinn.....	April 13, 1892.....	O	291
Elizabeth & Austin Springs Railway Company.....	Carter.....	May 28, 1892.....	S	597
<b>F.</b>				
Franklin Saving & Loan Company.....	Knox.....	Dec. 13, 1892.....	U U	102
Farmers' Mill and Manufacturing Company.....	Gibson.....	Jan. 14, 1893.....	U U	119
Franklin Bethesda Turnpike Company.....	Williamson.....	April 14, 1891.....	S	533
Founders Manufacturing Company.....	Roane.....	May 7, 1892.....	J J	224
Farmers' Savings, Building & Loan Association.....	Davidson.....	Feb. 3, 1891.....	A 2	2
First Cumberland Presbyterian Church, Columbia, Tenn.....	Maury.....	Aug. 18, 1892.....	O	318
First Spiritual Church of Nashville.....	Davidson.....	Oct. 28, 1892.....	O	334
First Evangelical Reform Club.....	Davidson.....	March 27, 1893.....	O	360
Farmers' & Traders' Bank & Safe Deposit Trust Company.....	Knox.....	March 6, 1891.....	Vol. 1,	136
Farmers' and Mechanics' Savings Bank.....	Dyer.....	Oct. 29, 1891.....	Vol. 1,	152
Fales Building Company, The.....	Roane.....	July 10, 1891.....	Q	179
Frictionless Metal Company.....	Hamilton.....	Nov. 11, 1891.....	Q A,	1
Franklin County Improvement Company.....	Franklin.....	March 9, 1891.....	Q	118
Federal Building and Loan Association of Memphis.....	Shelby.....	Aug. 27, 1892.....	N	178
Falls Branch Jellico Coal Company.....	Knox.....	Jan. 22, 1891.....	U	195
Farmers' & Merchants' Transportation Company.....	Knox.....	March 26, 1891.....	U	237
Facto Printing & Publishing Company.....	Hamilton.....	May 27, 1891.....	U	273
Farmers' Transportation & Warehouse Company.....	Hamilton.....	Aug. 3, 1891.....	U	283
Forest Hill Cemetery Company.....	Shelby.....	Feb. 9, 1892.....	U	357
Farmers' Supply Company.....	Hardeman.....	April 14, 1892.....	U	388
Fuson Company, The.....	Hamilton.....	May 11, 1892.....	U	402
Flower Mission, The.....	Davidson.....	May 12, 1892.....	O	301
Forrest, N. B., Mountain Association.....	Shelby.....	Nov. 21, 1891.....	P P	217
First Presbyterian Church.....	Hamilton.....	Dec. 16, 1891.....	P P	227
Fayetteville Water-works Company.....	Lincoln.....	July 25, 1892.....	P P	332

## CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Forrest Bros. Company.....	Felby.....	Feb. 6, 1893	U U	186
Farrington House Benevolent Association.....	Shelby.....	June 20, 1891	P P	128
Falls Grocery & Commission Company.....	Shelby.....	July 1, 1892	U U	27
<b>G.</b>				
Germania Building Company.....	Shelby.....	May 28, 1891	U	258
Giles County Fair Association, The.....	Giles.....	Oct. 9, 1891	U	311
Gold Mountain Mill and Mining Company.....	Shelby.....	Dec. 11, 1891	U	323
Goodbar Company.....	Shelby.....	Dec. 29, 1891	U	329
Galyan & Selden Company.....	Knox.....	Nov. 28, 1891	U	346
Gardco, A. L., Company.....	Davidson.....	April 21, 1892	U	391
Great Falls Cotton Mill Company.....	Warren.....	May 5, 1892	U	401
Grant Opera House Improvement.....	Knox.....	May 11, 1892	U	404
Grandview Land Company.....	Davidson.....	April 12, 1892	Q A	12
German Colonization Company.....	Hamilton.....	April 15, 1891	Q Q	166
Gady Company.....	McMinn.....	Aug. 26, 1891	Q Q	186
Guarantee Loan & Trust Company.....	Hamilton.....	Feb. 18, 1891	Vol. 1	135
Guarantee Loan & Trust Company.....	Hamilton.....	Nov. 30, 1891	Vol. 1	133
German-American Bank.....	Davidson.....	March 31, 1891	Vol. 1	157
Grand Council of the Knights and Ladies of the Double Ring	Shelby.....	April 4, 1893	O	367
Garland High School.....	Tipton.....	Sept. 5, 1892	O	321
Guarantee Fund Building & Loan Association, The.....	Davidson.....	April 22, 1891	A 2	12
Gardner Cotton-gin Manufacturing Company, The.....	Davidson.....	May 11, 1891	J J	152
Gager Lard-oil Manufacturing Company, The.....	Hamblen.....	Dec. 29, 1892	J J	237
Government Mutual Insurance, Trust & Security Company	Davidson.....	Feb. 28, 1891	P P	78
Gurley's & Paint Rock Valley Railway.....	Franklin.....	Jan. 19, 1892	S	585
Gulf of Mexico & Tennessee Railway Company, The.....	Madison.....	Dec. 21, 1892	S	621
Gibson-Gorman Company, The.....	Hamilton.....	Jan. 13, 1893	U U	118
Gleaves Transfer Company.....	Davidson.....	Aug. 3, 1892	U U	42
Garrett Jewelry Company, The.....	Knox.....	May 28, 1892	U U	8
Georgia & Tennessee Lumber Company.....	Knox.....	June 27, 1891	U	272
Goldwin Mercantile Company.....	Mauzy.....	April 29, 1891	U	248
Greenwood Cemetery.....	Hamilton.....	Sept. 19, 1891	U	308
Gem City Mill Company.....	Rhea.....	Sept. 29, 1891	J J	168
Graveston Agricultural & Stock Association.....	Knox.....	Aug. 26, 1891	O	260
<b>H.</b>				
Household Publishing Company, The.....	Hamilton.....	Nov. 28, 1892	U U	94
Henderson, W. B., Furniture Company.....	Knox.....	Sept. 16, 1892	U U	63
Hill City Grocery Company.....	Hamilton.....	Sept. 19, 1892	U U	65
Harris Water Company of Knoxville.....	Knox.....	Sept. 19, 1892	U U	66
House-door Letter-box Company, The.....	Knox.....	Sept. 20, 1892	U U	68
Hodge, G. H., Company.....	Shelby.....	Aug. 16, 1892	U U	44
Houston Valley Railway Company.....	Sullivan.....	Sept. 10, 1892	S	605
Harriman & Port Royal Railway Company.....	Roane.....	Sept. 20, 1892	S	609
Hazel Cemetery.....	Bedford.....	June 16, 1891	P P	56
Huntingdon Fishing Club.....	Carroll.....	Nov. 19, 1891	P P	211
Humboldt Suspender Company.....	Gibson.....	July 16, 1891	J J	162
Henderson Lumber & Manufacturing Company, The.....	Hamilton.....	Sept. 18, 1891	J J	166
Howell Manufacturing Company.....	Hamilton.....	Dec. 22, 1891	J J	174
Herzog Stationery Company.....	Shelby.....	March 2, 1891	J J	135
H. H. Drug Company, The.....	Shelby.....	April 8, 1891	J J	147
Home Savings & Loan Association of Chattanooga.....	Hamilton.....	March 28, 1891	A 2	8
Harris Club.....	Weakley.....	July 8, 1891	O	912
Hope Lodge No. 57, K. of P.....	Rhea.....	March 18, 1891	O	223
Holly Springs College.....	Johnson.....	April 6, 1891	O	22
Harriman Bank & Trust Company.....	Roane.....	June 30, 1891	Vol. 1	1
Home Building Association.....	Madison.....	March 26, 1891	Q Q	1
Howard, C. C., Stove Company, The.....	Hamilton.....	Jan. 21, 1892	Q Q	2
Houston Land & Improvement Company.....	Sullivan.....	Jan. 25, 1892	Q Q	2
Homestead Aid Association of Nashville, The.....	Davidson.....	Sept. 21, 1892	Q Q	21
Harrisburg Handle Company, The.....	Sullivan.....	Nov. 14, 1891	Q A	1
Harriman Water Company, The.....	Roane.....	Dec. 7, 1891	Q A	1
Hollow Rock Water Company.....	Carroll.....	Feb. 13, 1892	Q A	1
Hermitage Heights Land Company, The.....	Davidson.....	April 2, 1892	Q A	1
Harriman Drug Company, The.....	Roane.....	Jan. 9, 1891	Q	10
Harriman Dairy Company.....	Roane.....	Jan. 20, 1891	Q	10
Humboldt Canning Company, The.....	Gibson.....	Jan. 21, 1891	Q	10



**CHARTERED CORPORATIONS.—Continued.**

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Harriman Improvement Company, The.....	Roane.....	Feb. 11, 1891	Q	118
Harriman Real Estate & Building Company.....	Roane.....			
Harriman Electric Light & Power Company.....	Roane.....	Sept. 1, 1891	Q	144
Harriman Cemetery Company.....	Roane.....	Sept. 1, 1891	Q	145
Hook, C. S., Company.....	Shelby.....	Nov. 11, 1891	Q	149
Home Seekers' Building & Loan Association Company, The.....	Maury.....	Jan. 27, 1891	N	173
Howard Institute.....	Maury.....	March 4, 1891	U	229
Homestead Investment Company of Knoxville.....	Knox.....	Sept. 17, 1891	U	239
Hughes Bros. Manufacturing Company of Chattanooga.....	Hamilton.....	April 29, 1891	U	247
Hlwasee & Tennessee Packet Company, The.....	Hamilton.....	July 17, 1891	U	275
Hamilton Investment Company.....	Hamilton.....	Aug. 3, 1891	U	284
Harpeth Electric Light & Power Company.....	Williamson.....	Aug. 14, 1891	U	288
Harriman Warehouse Company.....	Roane.....	Nov. 18, 1891	U	319
Harriman Athletic Club.....	Roane.....	Nov. 20, 1891	U	320
Henry Milling Company, The.....	Henry.....	Jan. 15, 1892	U	335
Hays Chair Company of Harriman.....	Roane.....	March 11, 1892	U	372
Heavner-Bray Hardwood Company, The.....	Madison.....	March 17, 1892	U	377
Harriman Furniture Company.....	Roane.....	April 25, 1892	U	395
Home Companion Company, The.....	Knox.....	April 28, 1892	U	396
Hughes Bros. Manufacturing Company.....	Hamilton.....	May 12, 1891	U	453
Harriman Buggy Company.....	Roane.....	June 16, 1892	J J	228
High-street Electric Railway.....	Davidson.....	March 13, 1891	R	65

**I.**

Interstate Building & Loan Association.....	Knox.....	July 7, 1891	N	175
Interstate Educational Association, The.....	Hamilton.....	Jan. 21, 1891	U	194
Issue Publishing Company, The.....	Davidson.....	May 20, 1891	U	257
Iron City Perfection Stove Company.....	Lawrence.....	Nov. 22, 1891	U	341
Iron Belt Land Company.....	Washington.....	May 18, 1891	Q	133
Industrial Co-operative Company.....	Knox.....	June 18, 1891	Q Q	174
Interstate Finance & Loan Company.....	Davidson.....	June 23, 1891	Q Q	175
Interstate Investment & Development Company.....	Hamilton.....	Sept. 4, 1891	Q	187
Independent Pall-bearers Association, No. 2.....	Shelby.....	May 21, 1891	U	239
Independent Pall-bearers Association, No. 5.....	Shelby.....	Feb. 6, 1893	O	351
Indian Mountain Coal Company.....	Knox.....	March 15, 1893	J J	242
Interstate Lumber Company.....	Hamilton.....	April 7, 1893	U U	167
Ills Electric Signal Company.....	Davidson.....	Sept. 19, 1892	U U	67
Imperial Crown Baking Powder Company.....	Knox.....	June 7, 1892	U U	12
Incens Distillery Company.....	Davidson.....	Nov. 26, 1892	U U	93
Ivanhoe Lodge, No. 14, K. of P.....	Haywood.....	Sept. 6, 1892	O	322

**J.**

Jackson Woolen Mills.....	Madison.....	Dec. 2, 1892	U U	99
Jackson Office Furniture Company.....	Madison.....	Jan. 27, 1893	U U	151
Jordan Butter & Cheese Factory.....	Obion.....	Oct. 7, 1892	U U	75
Jack, W. S., Company.....	Shelby.....	Aug. 10, 1892	U	46
Jellico Water & Gas Works Company, The.....	Campbell.....	April 27, 1893	P P	503
Jasper Coal & Mining Company.....	Marion.....	Feb. 8, 1893	J J	216
Jasper Coal Mining & Coke Company.....	Hawkins.....	June 9, 1892	J J	182
Johnsonville Coke Company.....	Humphreys.....	Jan. 16, 1891	J J	124
Jasper Ice & Cold Storage Company.....	Marion.....	March 21, 1891	J J	139
Jackson Creamery Company.....	Madison.....	April 1, 1891	J J	143
Jammerson Steel & Iron Fence Company.....	Davidson.....	Nov. 14, 1892	J J	236
Jackson Cycle Club.....	Madison.....	March 28, 1891	O	287
Johnson City Medicine Company.....	Washington.....	March 6, 1891	Vol. 1,	137
Jackson Banking Company.....	Madison.....	March 27, 1891	Vol. 1,	139
Jasper City Land & Improvement Company.....	Marion.....	July 18, 1891	Q Q	180
Jellico Light & Electric Light Company.....	Knox.....	Feb. 21, 1891	U	217
Jasper Water-works Company.....	Marion.....	March 24, 1891	U	235
Jasper Electric Company.....	Marion.....	March 24, 1891	U	236
James, J. M., Company.....	Shelby.....	March 28, 1891	U	238
James & Company.....	Hamilton.....	June 6, 1891	U	264
Jones, D. C., Printing, The.....	Shelby.....	March 1, 1892	U	353
Jet Palace Jewelry Company.....	Shelby.....	March 24, 1892	U	379
Jackson Real Estate, Improvement & Mercantile Ass'n.....	Madison.....	April 12, 1892	U	386
Jessie Mai Aydelott College Company, The.....	Coffee.....	May 2, 1892	U	399
James Slate & Mining Company.....	Sullivan.....	March 12, 1891	J J	219

**CHARTERED CORPORATIONS—Continued.**

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
<b>K.</b>				
Knoxville Supply Company.....	Knox.....	Feb. 4, 1891	U	201
Kingston Handle & Stave Company.....	Hamilton.....	Feb. 25, 1891	U	222
Knoxville Industrial Investment Company.....	Knox.....	July 11, 1891	U	277
Kinney Distilling Company.....	Davidson.....	May 28, 1891	U	282
Knoxville Centennial & Tennessee Exposition.....	Knox.....	Oct. 30, 1891	U	317
Knoxville Odd Fellows' Association.....	Knox.....	Nov. 6, 1891	U	318
Knoxville Provision & Sugar Company.....	Knox.....	Dec. 26, 1891	U	327
Keeley Institute of Tennessee.....	Shelby.....	Feb. 8, 1892	U	356
Knoxville Liverv & Stock Company.....	Knox.....	March 1, 1892	U	392
Knox Marble & Railway Company.....	Knox.....	March 24, 1892	U	390
Kimber Pastor Equipment Company.....	Knox.....	Oct. 13, 1892	Q	148
Knoxville & Fountain City Land Company.....	Knox.....	May 13, 1892	Q Q	168
Kenton Bank.....	Obion.....	Dec. 16, 1892	Vol. 1, P	184
Knoxville, Jellico & Bird Eye Coal Company.....	Knox.....	May 27, 1892	J J	227
Knoxville Furnace & Mining Company, The.....	Knox.....	Oct. 28, 1891	J J	171
Knoxville Wood-working Company.....	Knox.....	July 17, 1891	P P	145
Knoxville, Montvale & Chilhowee Railway Company.....	Knox.....	Aug. 14, 1891	S	569
Knoxville & Chattanooga Railroad Company.....	Hamilton.....	July 7, 1892	S	629
Knoxville Engine & Pump Company.....	Knox.....	April 21, 1893	U U	173
Kenton Co-operative Creamery Company.....	Obion.....	April 29, 1893	U U	174
Knoxville Knitting Mills Company.....	Knox.....	Feb. 1, 1893	U U	132
Knoxville Bar Association.....	Knox.....	Oct. 26, 1892	U U	84
Knoxville College for Girls, The.....	Knox.....	Aug. 11, 1892	U U	51
Knoxville Mantel & Cabinet Company.....	Knox.....	June 7, 1892	U	18
Knoxville Coffin Company.....	Knox.....	March 8, 1891	U	227
Knights of Honor Hall of Memphis, Tenn.....	Shelby.....	April 17, 1891	U	246
Koover, M. H., Manufacturing Company.....	Shelby.....	March 2, 1891	P P	224
Knoxville Caudy Manufacturing Company.....	Knox.....	March 27, 1891	P	121
Kavanaugh Land Company.....	Shelby.....	Dec. 11, 1891	Q Q	203
Knoxville Accident & Benefit Association.....	Knox.....	Jan. 9, 1891	Q	103
<b>L.</b>				
Little Giant Refrigerator Company.....	Shelby.....	April 11, 1893	U U	168
Luttrell Brick Company.....	Union.....	Feb. 13, 1893	U U	139
Lofton Hardware Company.....	Hamilton.....	Dec. 21, 1893	U U	107
Lenoir Car Company, The.....	Loudon.....	Jan. 17, 1893	U U	120
Lawrenceburg Institute, The.....	Lawrence.....	Sept. 11, 1892	U U	79
Lyceum Theater Company.....	Shelby.....	June 16, 1892	U U	18
Lehi & Middleboro Railway Company.....	Scott.....	Feb. 19, 1891	S	521
Lenoir City, Montvale & Carolina Railway Company.....	Blount.....	July 1, 1891	S	553
Lehi Valley & Southern Coal & Iron Railway Company.....	Greene.....	Aug. 7, 1891	S	565
Louisville & Nashville Terminal Company.....	Davidson.....	March 22, 1893	P P	478
Lebanon Woolen Mills.....	Wilson.....	July 23, 1892	J J	231
Laurel Hill Company.....	Davidson.....	Nov. 4, 1892	J J	235
Long Iron Brown Stone Company.....	Hamilton.....	Sept. 2, 1891	J J	165
Lenoir City Broom Company.....	Knox.....	April 17, 1891	J J	149
Lenoir City Lumber & Manufacturing Company.....	Knox.....	April 17, 1891	J J	148
Lake Wildwood Association.....	Bradley.....	May 11, 1891	O	234
Lincoln Club.....	Washington.....	Oct. 30, 1891	O	273
Ladies' Working Golden Seal.....	Hamilton.....	July 13, 1892	O	313
Labor Savings Bank & Trust Company.....	Shelby.....	July 7, 1891	Vol. 1, Q	149
Lauderdale Park & Improvement Company.....	Shelby.....	May 21, 1891	Q Q	170
Loudon Mercantile Company.....	Loudon.....	May 28, 1891	Q	135
Leader Printing & Publishing Company.....	Rhea.....	Sept. 15, 1891	Q	147
Lawrence County Lumber Company.....	Lawrence.....	Aug. 20, 1891	Q	142
Lincoln County Land & Immigration Company.....	Davidson.....	Feb. 2, 1891	U	199
Life Union of Tennessee, The.....	Knox.....	March 4, 1891	U	355
Lonsdale Beaumont Water Company.....	Knox.....	July 28, 1891	P P	151
<b>Mc.</b>				
McCork Brown Lumber Company.....	Tipton.....	Feb. 5, 1891	U	204
McArthur Music House.....	Knox.....	May 31, 1891	U	260
McNairy County Horticultural Association.....	McNairy.....	March 15, 1892	U	376
McFerrin College.....	Weakley.....	June 10, 1891	O	244
McKee & Campbell Company.....	Hamilton.....	Dec. 24, 1892	U U	119
McKenzie Canning & Preserving Company.....	Carroll.....	Jan. 21, 1893	J J	239

# CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
<b>M.</b>				
Memphis Shoe Company.....	Shelby.....	July 11, 1892	U-U	36
Merrilwether Shoe Company.....	Shelby.....	June 22, 1892	U U	19
Metal Refining Company.....	Davidson.....	June 22, 1892	U U	20
Memphis Burial & Heading Company.....	Shelby.....	Jan. 10, 1891	U	188
Morristown Broom Company.....	Hamilton.....	Jan. 19, 1891	U	192
Metal Mill Company.....	Davidson.....	Jan. 20, 1891	U	193
Moorehead Magic Medicine Company.....	Greene.....	March 23, 1891	U	234
Minic Merchandise Company.....	Obion.....	April 6, 1891	U	241
Memphis Interstate Agricultural Fair Association.....	Shelby.....	April 6, 1891	U	242
Memphis Ginning Company.....	Shelby.....	June 15, 1891	U	267
Mountain Water Company.....	Davidson.....	June 26, 1891	U	271
Masonic College of Tennessee.....	Fentress.....	Sept. 12, 1891	U	297
Milan Milling & Manufacturing Company.....	Gibson.....	Sept. 14, 1891	U	302
Morristown Tobacco Manufacturing Company, The.....	Hamblen.....	Dec. 14, 1891	U	325
Morton-Scott-Robinson Company.....	Davidson.....	Jan. 19, 1892	U	339
Mount Pleasant Perfection Slave & Heading Company.....	Maury.....	Jan. 28, 1892	U	349
Midland & Southern American Telegraph Company.....	Knox.....	Feb. 3, 1892	U	352
Methodist Journal Printing Company.....	Hamilton.....	Feb. 15, 1892	U	359
Messenger Publishing Company.....	Davidson.....	Feb. 20, 1892	U	351
Miners' Supply Company, The.....	Hamilton.....	March 25, 1892	U	381
Memphis Furniture Manufacturing Company.....	Shelby.....	March 29, 1892	U	383
Marine Brotherhood.....	Shelby.....	April 8, 1892	U	384
Maxwell House Shoe Store.....	Davidson.....	April 21, 1892	U	390
Memphis Base Ball Association.....	Shelby.....	April 22, 1892	U	393
Morristown Co-operative Shoe Store, The.....	Hamblen.....	May 22, 1892	U	400
Milan Building & Loan Association.....	Gibson.....	Jan. 21, 1891	Q	106
Middlebrook Park Association, The.....	Knox.....	May 6, 1891	Q	131
Matthews Hardware Company.....	Shelby.....	Dec. 29, 1891	QA	8
Monte Visto Cemetery Company.....	Washington.....	June 17, 1892	QA	18
Mutual Building & Loan Association.....	Davidson.....	March 17, 1893	QA	22
Mountain View Land Company.....	Washington.....	Feb. 9, 1891	QQ	156
Montvale Land & Improvement Company.....	Blount.....	July 1, 1891	QQ	177
Magnetic Belt Abstract Company.....	Washington.....	July 2, 1891	QQ	178
Mansfield Land Company.....	Davidson.....	July 28, 1891	QQ	182
Memphis Carriage Company, The.....	Shelby.....	Nov. 26, 1892	UU	87
Mann, E. B., Undertaking Company.....	Knox.....	Oct. 14, 1892	UU	80
Memphis Tag & Stationery Company.....	Shelby.....	Oct. 1, 1892	UU	74
Magnolia Chair Company.....	Shelby.....	Oct. 4, 1892	UU	73
Mechanics' Bank Building Company.....	Shelby.....	Jan. 19, 1893	UU	123
Mechanics' Bank Building Company.....	Shelby.....	Jan. 2, 1893	UU	113
Mount Overton Cemetery Company.....	Williamson.....	Nov. 15, 1892	UU	105
Memphis Land, Immigration & Investment Company.....	Shelby.....	Aug. 14, 1891	QQ	183
Marble City Improvement Company, The.....	Knox.....	Oct. 28, 1891	QQ	199
Maplewood Improvement Company.....	Davidson.....	Jan. 13, 1892	QQ	206
Maury County Abstract Company.....	Maury.....	April 1, 1892	QQ	213
Milson Theatre Company, The.....	Davidson.....	April 13, 1892	QQ	214
Milan Banking Corporation, The.....	Gibson.....	March 6, 1893	Vol. 1,	164
Mount Pleasant Bank & Trust Company.....	Maury.....	Feb. 10, 1891	Vol. 1,	134
Memphis Trust Company.....	Shelby.....	May 2, 1891	Vol. 1,	141
Maury Bank & Trust Company.....	Maury.....	Oct. 19, 1891	Vol. 1,	150
Magnolia Outing Club.....	Hamilton.....	Aug. 18, 1892	O	317
Moulder's Union No. 202.....	Knox.....	March 20, 1891	O	224
Macon Club.....	Macon.....	May 14, 1891	O	236
Mountain City Athletic Club.....	Hamilton.....	Oct. 9, 1891	O	269
Memphis Sanitarium Training School for Nurses.....	Shelby.....	Dec. 24, 1892	O	346
Mountain Home Building & Loan Association.....	Grundy.....	April 21, 1891	A 2,	11
Mercantile Building & Loan Association.....	Hamilton.....	July 28, 1891	A 2,	15
Maury Building & Loan Association.....	Maury.....	Aug. 8, 1891	A 2,	17
Magnetic National Building & Loan Association.....	Washington.....	Dec. 19, 1891	A 2,	23
Magnetic National Building & Loan Association.....	Washington.....	Feb. 10, 1893	A 2,	33
Montvale Mining Company, The.....	Knox.....	July 18, 1891	JJ	214
Metropolitan Local Mining & Development Co. of Tenn.....	Unicoi.....	May 11, 1892	JJ	225
Mount Mitchell Mica Company.....	Washington.....	Oct. 23, 1892	JJ	232
Montvale Mining Company.....	Knox.....	Aug. 19, 1891	JJ	163
Montvale Mining & Manufacturing Company.....	Knox.....	July 2, 1892	JJ	183
Memphis Lumber & Manufacturing Company.....	Shelby.....	April 4, 1891	JJ	145
Maplewood Electric Railway Company.....	Davidson.....	Feb. 12, 1891	R	63
Maplewood Electric Railway Company.....	Davidson.....	Dec. 22, 1892	R	73
Merchants' & Grain Exchange of Chattanooga.....	Hamilton.....	Feb. 4, 1891	PP	73

## CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office	Book.	Page.
Mutual Accident & Benefit Association.....	Greene.....	March 18, 1891	PP	92
Memphis Belt Railway Company.....	Shelby.....	April 22, 1893	S	665
Moore-Warren Dry Goods Company.....	Weakley.....	April 15, 1893	UU	169
Memphis Shingle Company.....	Shelby.....	Jan. 26, 1893	UU	126
Memphis Lumber Company.....	Shelby.....	Jan. 26, 1893	UU	127
Merchants' Warehouse & Elevator Company.....	Shelby.....	Jan. 31, 1893	UU	131
Memphis Natural Gas & Fuel Company.....	Shelby.....	Feb. 11, 1893	UU	138
Moore & Burnes Company, The.....	Carroll.....	Feb. 18, 1893	UU	147
Maryville Electric Light & Power Company.....	Blount.....	June 11, 1892	U U	10
Magnetic Iron Milling Company.....	Davidson.....	Jan. 3, 1893	J J	238
Market Bank, The.....	Knox.....	April 20, 1893	Vol. 1,	168
<b>N.</b>				
New South Baking Powder Company.....	Knox.....	Feb. 1, 1898	UU	133
Newport Warehouse Company.....	Cocke.....	March 6, 1893	UU	155
Newport Board of Trade.....	Cocke.....	Feb. 15, 1893	UU	157
Nashville Conservatory of Music.....	Davidson.....	Jan. 6, 1892	UU	115
Nashville Publishing Company.....	Hamilton.....	Oct. 7, 1892	UU	76
Nashville Columbian Association, The.....	Davidson.....	Sept. 3, 1892	UU	58
Nixon & Lentz Manufacturing Company.....	Hamilton.....	May 27, 1892	UU	6
National Guide System, The.....	Shelby.....	May 28, 1892	UU	9
Nashville & Cumberland Gap Railroad Company.....	Wilson.....	Jan. 19, 1891	S	505
Nashville, Harriman & Eastern Railway Company.....	Roane.....	July 18, 1891	S	557
Nashville & Clarksville Railway Company.....	Davidson.....	Dec. 16, 1891	S	57
Nashville, Jellico & Charleston Railway Company, The.....	McMinn.....	July 12, 1892	S	601
Nashville & Harriman Railway Company.....	Roane.....	Feb. 1, 1893	S	637
Nashville Building & Savings Association.....	Davidson.....	Jan. 28, 1891	PP	70
Nashville & West Nashville Railway.....	Davidson.....	April 7, 1891	PP	107
North Star Tonnage Company.....	Davidson.....	Nov. 6, 1891	PP	207
National Co-operative Guarantee Company.....	Davidson.....	Nov. 10, 1892	JJ	191
New Soddy Coal Company.....	Hamilton.....	Nov. 10, 1892	J J	195
Newcomb Manufacturing Company, The.....	Campbell.....	June 29, 1892	J J	229
Nashville Pottery and Pipe Company.....	Davidson.....	Sept. 29, 1891	J J	170
Noel Mill Company.....	Davidson.....	Jan. 2, 1892	J J	177
National Electric Protection Company, The.....	Shelby.....	Jan. 27, 1892	J J	178
New Steel Process Company, The.....	Davidson.....	Sept. 26, 1892	J J	186
Nevadale Rolling Mill.....	Hamilton.....	Feb. 26, 1891	J J	131
Nicajack Mining Company, The.....	Hamilton.....	March 2, 1891	J J	134
National Order of United Labor and Professions.....	Madison.....	June 10, 1891	O	245
Nashville Maennerchor.....	Davidson.....	June 13, 1891	O	246
Nashville Hebrew Relief Society.....	Davidson.....	Sept. 28, 1891	O	268
National Association of Letter Carriers.....	Davidson.....	Feb. 26, 1892	O	252
Nashville Choral Society.....	Davidson.....	Feb. 25, 1893	O	336
Nashville Free Kindergarten Association.....	Davidson.....	Sept. 20, 1892	O	327
Northern Bank of Tennessee.....	Montgomery.....	Jan. 6, 1891	Vol. 1,	131
Newport Loan and Trust Company.....	Cocke.....	June 11, 1891	Vol. 1,	147
New England Lookout Mountain Company.....	Hamilton.....	Feb. 20, 1891	Q Q	160
National Lookout Mountain Company.....	Hamilton.....	March 13, 1891	Q Q	163
Nashville Real Estate Investment Company.....	Davidson.....	Sept. 4, 1891	Q Q	188
Newport Improvement Company.....	Cocke.....	Dec. 22, 1891	Q Q	202
North Columbia Immigration and Land Company.....	Maury.....	March 4, 1892	Q A	10
Nashville Investment Company.....	Davidson.....	June 9, 1891	Q A	15
New South Lumber Company.....	Shelby.....	April 24, 1891	Q	128
National Loan and Investment Company of Memphis.....	Shelby.....	July 3, 1891	N	174
Nashville Jersey Cattle Company.....	Davidson.....	Feb. 3, 1891	U	200
Nashville Academe Stone Company.....	Davidson.....	Feb. 18, 1891	U	212
Newport Tobacco Company.....	Cocke.....	March 12, 1891	U	232
Nashville Construction Company.....	Davidson.....	April 30, 1891	U	245
National Fare Receiver Company, The.....	Davidson.....	June 19, 1891	U	28
Nicholson Hotel Company, The.....	Davidson.....	June 19, 1891	U	2
North Knoxville Lumber Company.....	Knox.....	June 22, 1892	U	3
National Manufacturing Company, The.....	Knox.....	June 23, 1892	U	34
Nashville Creamery Company.....	Davidson.....	March 5, 1892	U	36
Nashville Tobacco Works, The.....	Davidson.....	May 26, 1892	U U	
<b>O.</b>				
Ozanne, F., Stove and Hardware Company.....	Shelby.....	Jan. 26, 1891	Q	108
Odd Fellows Mutual Benefit Association.....	Davidson.....	April 30, 1891	O	237
Old Women's Home.....	Davidson.....	Dec. 22, 1891	O	273

CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Order of Progressive Americans.....	Bradley.....	April 11, 1892	O	290
Odd Fellows Mutual National B. & L. Association, The.....	Hamilton.....	Nov. 20, 1891	A 2	21
Oil, Gas, and Mineral Company.....	Davidson.....	Jan. 13, 1893	J J	238
Ocoee Lumber Company.....	Bradley.....	April 4, 1891	P P	102
Ottway College Company.....	Greene.....	March 2, 1892	P P	238
O'Connell & Rogers Company.....	Hamilton.....	March 29, 1892	P P	271
Overland Railway Company.....	Davidson.....	Feb. 13, 1892	S	598
Otto Mercantile Company.....	Pickett.....	April 15, 1893	U U	170
Observer Printing and Publishing Company.....	Hamilton.....	March 31, 1893	U U	162
Office and Bank Record Company.....	Shelby.....	June 11, 1892	U U	17
<b>P.</b>				
Paris Lumber Company, The.....	Henry.....	Feb. 4, 1893	U U	134
Paris Hedge Company.....	Henry.....	March 4, 1893	U U	154
Prewitt Drug Company.....	Hamilton.....	Dec. 13, 1892	U U	163
Plantation Pharmaceutical Company.....	Shelby.....	Jan. 2, 1893	U U	111
Pythian Hall Association.....	Shelby.....	Sept. 25, 1892	U U	71
People's Advocate Publishing Company, The.....	Lauderdale.....	Nov. 10, 1892	U U	90
Pneumatic Power and Water Company of New Jersey.....	Davidson.....	July 5, 1892	U U	31
Pneumatic Power and Water Company of New York.....	Davidson.....	July 5, 1892	U U	32
Pigeon River Lumber and Iron Company.....	Coke.....	May 23, 1892	U U	3
Pneumatic Power & Water Company of the United States.....	Davidson.....	July 5, 1892	U U	30
People's Telephone and Telegraph Company.....	Knox.....	March 13, 1893	S	653
Petersburg and Elk River Turnpike Company.....	Marshall.....	March 31, 1893	S	657
Fallbearers' Society.....	Shelby.....	March 18, 1891	P P	95
Pneumatic Manufacturing Company.....	Davidson.....	June 3, 1891	P P	135
Pythian College.....	Sumner.....	July 20, 1891	P P	143
Paige, S. K., Lumber and Manufacturing Company.....	Roane.....	July 29, 1891	P P	157
Pickard & Banges Dry Goods Company.....	Humphreys.....	April 9, 1892	P P	277
Pulaski Water-works Company, The.....	Giles.....	Oct. 13, 1892	P P	343
Peal Dry Goods Company.....	Crockett.....	Nov. 10, 1892	J J	193
Peters & Bradley Mill Company.....	Knox.....	June 18, 1891	J J	157
Pittsburg & Tennessee Copper Company.....	Polk.....	June 11, 1891	J J	155
People's Building & Loan Association.....	Greene.....	March 9, 1891	A 2	5
People's Building & Loan Association.....	Shelby.....	Nov. 2, 1891	A 2	20
Pulaski Building & Loan Association.....	Giles.....	Nov. 15, 1892	A 2	32
Protection Benevolent Association.....	Knox.....	Jan. 15, 1891	O	216
Palmer's School Stock Company.....	Weakley.....	June 29, 1891	O	249
Progressive Club, The.....	Davidson.....	April 14, 1892	O	292
Pellicpe College.....	Anderson.....	April 25, 1892	O	296
Phelecan Club.....	Rutherford.....	Dec. 20, 1892	O	345
People's Church, Congregational.....	Hamilton.....	Oct. 7, 1892	O	329
People's Bank of South Pittsburg.....	Marion.....	March 17, 1891	Vol. -	138
Perry County Co-operative Company.....	Perry.....	June 14, 1891	O	247
People's Bank, The.....	Carter.....	Oct. 23, 1891	Vol. 1,	150
Powell River Cave Company, The.....	Claiborne.....	May 18, 1891	Q Q	169
Pepper Land Company, The.....	Sullivan.....	Sept. 19, 1891	Q Q	194
Powell Valley Land Company.....	Claiborne.....	March 25, 1891	Q Q	210
Pearce Land Company.....	Hamilton.....	Jan. 26, 1891	Q	109
Procter Improvement Company.....	Washington.....	July 13, 1891	Q	139
Providence Savings & Loan Society, The.....	Davidson.....	March 21, 1892	N	177
Pulaski Water-works Company, The.....	Giles.....		W	2
People's Surety & Gas-light Company of Memphis.....	Shelby.....	Feb. 17, 1891	U	211
Peebles Hotel Company.....	Hamilton.....	March 2, 1891	U	226
Peacher Mills Company.....	Montgomery.....	July 21, 1891	U	281
Petersburg & Chestnut Ridge Turnpike Company.....	Lincoln.....	Aug. 7, 1891	U	285
Public Works Improvement Company, The.....	Hamilton.....	June 18, 1891	Q Q	172
People's Co-operative Union, The.....	Hamilton.....	July 18, 1892	U U	39
<b>R.</b>				
Resaca Lumber Company.....	Hamilton.....	April 14, 1891	U	243
Reger Lumber Company.....	Hamilton.....	April 14, 1891	U	244
Robinson, E. G., Transfer Company.....	Shelby.....	Aug. 28, 1891	U	293
Ritch, C. W., Co.....	Maury.....	Dec. 31, 1891	U	331
Republican Publishing Company, The.....	Knox.....	Jan. 12, 1892	U	334
Rosenheim Company, The.....	Davidson.....	Feb. 2, 1891	U	351
Rosebud Marble Company.....	Knox.....	March 8, 1892	U	368
Roane County Fair & Stock Association.....	Roane.....	Nov. 28, 1891	Q A	3
Riverside Land Company.....	Davidson.....	June 14, 1892	Q A	16

## CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Roseview Land & Improvement Company.....	Hamilton .....	Feb. 12, 1891	Q Q	158
Riverdale Land Company, The .....	Hamilton .....	June 23, 1891	Q Q	176
Ridgewood Land Company.....	Hamilton .....	Jan. 21, 1892	Q Q	207
Rialto Building & Loan Association.....	Hamilton .....	March 8, 1892	A 2	28
Railway Employees' Building & Loan Association.....	Knox.....	March 14, 1892	A 2	29
Rock City Spring & Mattress Company.....	Davidson.....	Aug. 19, 1891	J J	164
Reliance Coal & Coke Company.....	Claiborne.....	March 26, 1891	J J	140
Review Appeal, The.....	Williamson.....	Jan. 20, 1891	P P	59
Rutledge Homestead Company.....	Davidson.....	March 11, 1891	P P	87
Ritchland Farmer's Mercantile Association .....	Shelby .....	April 4, 1891	P P	104
Red Cross Soap Company.....	Knox.....	Jan. 12, 1892	P P	237
Rearing Grate Company, The.....	Knox.....	May 14, 1892	P P	305
Rogersville Synodical College.....	Hawkins.....	May 23, 1892	P P	310
Richland Railway Company.....	Davidson.....	Nov. 23, 1892	S	617
Roestate Meter Company, The.....	Davidson.....	Aug. 11, 1892	U	52
Roberts Cash Register Company.....	Roane.....	May 23, 1892	U U	2
<b>S.</b>				
Smith County Bank & Trust Company.....	Smith.....	March 28, 1892	Vol 1,	159
South Pittsburg Foundry & Machine Company.....	Marion.....	Aug. 13, 1892	Q Q	185
Sweetwater Park & Stock Company.....	Monroe.....	Dec. 28, 1891	Q A	7
South Park Land Company.....	Davidson.....	May 28, 1891	Q A	14
Southern Accident & Benefit Association, The.....	Davidson.....	April 18, 1891	Q	125
Security Land & Investment Company, The.....	Hamilton.....	April 20, 1891	Q	127
Seven Cities News Company.....	Claiborne.....	June 6, 1891	Q	138
Smithville Roller Mill Company.....	DeKalb.....	May 29, 1891	Q	137
Somertown Improvement Company, The.....	Lawrence.....	July 31, 1891	Q	141
Somertown Company.....	Lawrence.....	Aug. 28, 1891	Q	148
Stief, B. H., Jewelry Company.....	Davidson.....	Feb. 4, 1891	U	183
Southern Paste & Concrete Building & Paving Company.....	Shelby.....	Feb. 12, 1891	U	197
Smith, B. A., Gin Company.....	Madison.....	Jan. 12, 1891	U	198
Safety Fund Life Society, The.....	Davidson.....	Feb. 5, 1891	U	208
Shelby House Trotting-horse Breeders' Association.....	Shelby.....	Feb. 21, 1891	U	218
Sequatchie Telephone Company.....	Marion.....	March 23, 1891	U	233
Swoke-Wright Lumber Company.....	Shelby.....	May 1, 1891	U	250
Southern Queen Manufacturing Company, The.....	Hamilton.....	May 14, 1891	U	255
Security Home Building and Loan Association.....	Davidson.....	July 10, 1891	U	276
Specific Oxygen Company.....	Davidson.....	Aug. 8, 1891	U	296
South-western Specific Company.....	Lincoln.....	Sept. 15, 1891	U	308
Southern Pump & Lumber Company.....	Shelby.....	Sept. 19, 1891	U	305
Sidewalk Insurance & Improvement Company.....	Davidson.....	Oct. 6, 1891	U	310
Southern Pump & Lumber Company.....	Shelby.....	Oct. 17, 1891	U	313
Sentinel Printing Company.....	Knox.....	Feb. 5, 1892	U	355
Seventh Congregational Publishing Company.....	Maury.....	March 12, 1892	U	374
Sequatchie Saw mill & Lumber Company.....	Hamilton.....	April 18, 1892	U	389
Southern Brown Stone Company.....	Hamilton.....	April 29, 1892	U	347
Stephens, W. H., Furniture Company, The.....	Hamilton.....	April 30, 1892	U	398
Sharon Canning and Preserving Manufacturing Company.....	Weakley.....	May 11, 1892	U	405
South Knoxville Presbyterian Church.....	Knox.....	March 27, 1891	O	226
Southern Colonization Company, The.....	Shelby.....	Feb. 14, 1893	U	140
Societe Giardiseln Italian.....	Shelby.....	Feb. 23, 1893	U	149
Sewanee Masonic Association.....	Franklin.....	March 2, 1893	U	152
Southern Snuff Company, The.....	Shelby.....	March 2, 1893	U	153
Southern Compress Company.....	Shelby.....	Dec. 14, 1892	U	104
Stockton Medicine Company, The.....	Davidson.....	Dec. 27, 1892	U	110
Sparta Iron Company, The.....	Davidson.....	Nov. 3, 1892	U	83
Spot Cash Mercantile Company.....	Williamson.....	July 18, 1892	U	38
South Point Manufacturing Company.....	Shelby.....	July 25, 1892	U	40
Schmalzried Stove & Range Company.....	Shelby.....	Aug. 10, 1892	U	47
Southern Nursery Company.....	Franklin.....	July 22, 1892	U	53
South Pittsburg Stove Works.....	Marion.....	Aug. 24, 1892	U	54
Spot Cash Company.....	Davidson.....	Sept. 7, 1892	U	52
South Side Mercantile Company, The.....	Montgomery.....	Sept. 8, 1892	U	64
Snow Spring Distillery Company, The.....	Henry.....	June 25, 1892	U	21
Shelbyville Water-works Company.....	Bedford.....	Aug. 1, 1892	W	1
South Knoxville Railroad Company.....	Knox.....	Jan. 8, 1891	S	501
Shelbyville & Franklin Railroad Company, The.....	Williamson.....	Sept. 15, 1891	S	573
Star Mountain Railroad Company.....	Knox.....	Jan. 23, 1893	S	553
Southern Music & Machine Company.....	Davidson.....	March 10, 1893	S	645
Social Benevolent Society.....	Shelby.....	Jan. 22, 1891	P P	63

## CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Southern Printing & Lithographing Company, The.....	Hamilton .....	March 31, 1891 P P		101
Saffron-street M. E. Church, South.....	Shelby .....	Aug. 8, 1891 P P		169
Southern Brass & Iron Company.....	Knox .....	Oct. 9, 1892 J J		192
Springfield Planing Mill Company.....	Robertson.....	Feb. 10, 1892 J J		217
Sale Creek Coal & Coke Company, The.....	Hamilton .....	Feb. 25, 1892 J J		218
Sycamore Mining & Salt Company.....	Claiborne.....	March 19, 1892 J J		222
Spring Creek Manufacturing & Mercantile Company.....	Carroll .....	June 14, 1892 J J		230
Sequatchie Coal & Iron Company, The.....	Marion .....	Feb. 9, 1891 J J		129
Swiss Colony Lumber & Manufacturing Company.....	Grundy.....	Feb. 27, 1891 J J		182
Stephenson-Getox Manufacturing Company.....	Knox .....	March 19, 1891 J J		138
Second Presbyterian Church of Memphis.....	Shelby .....	April 4, 1891 O		227
Sons and Daughters of Charity.....	Davidson .....	May 17, 1891 O		237
Spiritualist Church, South.....	Hamilton .....	July 28, 1891 O		254
Sons and Daughters of the Golden Crown, No. 1.....	Davidson .....	Aug. 19, 1891 O		258
Springfield Athletic Association.....	Robertson.....	Aug. 24, 1891 O		269
Southern Industrial Aid Society.....	Hamilton .....	Sept. 4, 1891 O		262
South Nashville Baptist Church.....	Davidson .....	Sept. 19, 1891 O		266
St. John's Church of Knoxville.....	Knox .....	Jan. 25, 1892 O		280
Silver Moon Lodge No. 1803, Grand Union of Odd Fellows.....	Knox .....	May 28, 1892 O		297
Southern Memphis Gymnasium and Literary Society.....	Shelby .....	May 5, 1892 O		299
Sigma Alpha Epsilon Fraternity.....	Davidson .....	Dec. 10, 1892 O		342
Supreme Council Knights of Mystic Fellows.....	Rhea .....	Feb. 20, 1893 O		354
St. Elmo Democratic Club.....	Hamilton .....	May 28, 1892 O		311
Strawberry Plains College.....	Jefferson.....	Aug. 24, 1892 O		320
Star Savings, Loan & Protection Association.....	Knox.....	Dec. 19, 1891 A 2		24
<b>T</b>				
The Mutual Help and Benefit Society of Tennessee.....	Shelby.....	Jan. 3, 1891 O		214
The Woman's Hospital of Memphis.....	Shelby .....	Jan. 7, 1891 O		215
The Second Presbyterian Church.....	Shelby .....	March 7, 1891 O		219
The Banner Club.....	Davidson .....	March 14, 1891 O		220
The Progress Club.....	Shelby .....	March 14, 1891 O		221
The Mutual Burial and Relief Association.....	Davidson .....	April 6, 1891 O		228
The Ladies' Good Samaritan Society No. 1.....	Davidson .....	April 16, 1891 O		232
The Sapphonian Literary Society.....	McMinn .....	May 11, 1891 O		235
The Memphis Trade School Association.....	Shelby .....	May 21, 1891 O		240
The Woman's Mission Home of Chattanooga.....	Hamilton .....	June 1, 1891 O		243
The Board of Trustees of the M. E. Church, South.....	Davidson .....	July 2, 1891 O		251
The Retail Grocers' Association of Knoxville.....	Knox .....	July 21, 1891 O		252
The Colored Pickwick Club.....	Hamilton .....	July 21, 1891 O		253
The Greeneville Collegiate Institution.....	Greene .....	July 31, 1891 O		255
The First C. P. Church of Chattanooga.....	Hamilton .....	Aug. 10, 1891 O		256
The First Baptist Church of Chattanooga.....	Hamilton .....	Sept. 8, 1891 O		263
The Glee Club.....	Shelby .....	Sept. 14, 1891 O		265
The Franklin, Tenn., Female College.....	Williamson .....	Sept. 18, 1891 O		267
The Tennessee Baptist Orphans' Home.....	Davidson .....	Oct. 17, 1891 O		271
The First Universalist Society of Harriman.....	Roane.....	Oct. 22, 1891 O		272
The People's Weekly Benefit Society.....	Hamilton .....	Nov. 11, 1891 O		274
The Cymrodorion Society.....	Knox .....	Nov. 16, 1891 O		276
The Engineering Association of the South.....	Davidson .....	Feb. 25, 1892 O		281
The Schweizer Maennerchor.....	Shelby .....	March 9, 1892 O		284
The Nineteenth Century Club.....	Shelby .....	March 24, 1892 O		286
The A. M. E. Zion Methodist Church.....	Hamilton .....	April 7, 1892 O		288
The Mission Ridge Club.....	Hamilton .....	April 14, 1892 O		293
The First C. P. Church of Jackson.....	Madison .....	April 18, 1892 O		295
The Baron Hirsch Benevolent Society.....	Knox .....	May 3, 1892 O		298
The Union Aid Society of Chattanooga.....	Hamilton .....	Nov. 26, 1892 O		335
The Golden Star Lodge of Tennessee, No. 1.....	Knox .....	Nov. 30, 1892 O		337
The Tennessee Hydraulic Malm Company.....	Davidson .....	Sept. 17, 1892 J J		187
Tennessee Onyx Company.....	Franklin.....	March 18, 1892 J J		221
The Tennessee Mining Company.....	Hamilton .....	Sept. 21, 1891 J J		168
The Tennessee Lattice Hedge Company.....	Obion .....	Jan. 30, 1892 J J		179
The Tennessee Brown Stone Company.....	Roane.....	Aug. 16, 1892 J J		185
The Tennessee Cotton-oll Company.....	Madison .....	Feb. 6, 1892 J J		128
Timothy Dry-goods & Carpet Company.....	Hamilton .....	Feb. 21, 1891 J J		180
Tennessee River & Sequatchie Railroad.....	Marion .....	June 20, 1891 S		545
The Tennessee Furniture & Lumber Company.....	Carter.....	April 20, 1893 U U		171
Tubbs Engine and Machine Company.....	Knox .....	April 21, 1893 U U		172
Tennessee Investment Company.....	Hamilton .....	Feb. 11, 1893 U U		137
The Black Drug Company.....	Hamilton .....	Feb. 16, 1893 U U		142

## CHARTERED CORPORATIONS—Continued.

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Thayer Jewelry Company.....	Shelby.....	Jan. 18, 1893	U U	145
Tennessee Fixture & Show-case Company.....	Hamilton.....	Feb. 21, 1893	U U	148
The Hyde Wingfield Transfer & Storage Company.....	Hamilton.....	April 3, 1893	U U	164
The Gouchet Jewelry Company.....	Montgomery.....	Jan. 12, 1892	U U	117
The Clinton Gazette Printing Company.....	Anderson.....	Jan. 18, 1892	U U	122
Tennessee Lumber Company.....	Knox.....	Sept. 14, 1892	U U	62
The Farmers' Fair Association of Stewart County.....	Stewart.....	Sept. 29, 1892	U U	69
Troy Butter & Cheese Company.....	Obion.....	July 28, 1892	U U	41
Three Rivers Packet Company.....	Knox.....	Aug. 6, 1892	U U	45
The Farmers' Live-stock & Industrial Association.....	Maury.....	Sept. 14, 1892	U U	61
Tullahoma Brick Company.....	Coffee.....	June 8, 1892	U U	15
Tennessee Coal Mining Company.....	Knox.....	June 30, 1892	U U	24
The Tennessee Tin Mining Company.....	Shelby.....	Sept. 19, 1891	U	306
The Tennessee Pump Works.....	Shelby.....	Sept. 19, 1891	U	307
The Temple Court Building Association.....	Hamilton.....	Oct. 16, 1891	U	312
Tennessee Methodist Publishing Company.....	Davidson.....	Oct. 30, 1891	U	316
The A. G. Mann Furniture & Carpet Company.....	Knox.....	Dec. 5, 1891	U	322
The Tennessee Farmer Publishing Company.....	Davidson.....	June 11, 1892	U	323
Tennessee & Alabama Cold Storage Manufacturing Co.....	Shelby.....	Jan. 28, 1892	U	348
Tipton County Fair Association.....	Tipton.....	Feb. 5, 1892	U	354
True Light Publishing Company.....	Tipton.....	April 8, 1892	U	385
The Golden Star Home Lodge.....	Knox.....	Dec. 3, 1892	O	338
Tennessee Alpha Chapter Phi Theta Fraternity.....	Davidson.....	Dec. 5, 1892	O	841
The Willing Workers' Society of Pulaski.....	Giles.....	Dec. 10, 1892	O	348
The Chattanooga Spiritual Association.....	Hamilton.....	Feb. 14, 1893	O	350
The Knoxville Hebrew Congregation Bethel.....	Knox.....	Jan. 14, 1893	O	349
The Loomis University.....	Hamilton.....	Feb. 9, 1893	O	352
The Apollo Club.....	Shelby.....	Feb. 9, 1893	O	358
The Intercollegiate Lecture Bureau.....	Davidson.....	Feb. 22, 1893	O	355
The Valley Club.....	Carter.....	March 15, 1893	O	357
The Distillers, Brewers, Wholesale and Retail Liquor Dealers' Benevolent Association.....	Davidson.....	March 24, 1893	O	359
The Williams Academy & Institute.....	Montgomery.....	March 22, 1893	O	358
The Petersburg Elizabeth College.....	Lincoln.....	April 12, 1893	O	368
The American Cotton Harvesting Company.....	Shelby.....	May 28, 1892	O	305
The Beta Lambda Chapter of Beta Theta Pi.....	Davidson.....	June 1, 1892	O	306
The Baron Hirsch Benevolent Society.....	Shelby.....	June 7, 1892	O	308
The Presbyterian Institute of Brownsville.....	Haywood.....	July 15, 1892	O	314
The Trustees of Murphy College.....	Sevier.....	Aug. 23, 1892	O	319
The Brewers' Mutual Aid Association.....	Davidson.....	Sept. 7, 1892	O	323
The Jefferson Club of Memphis.....	Shelby.....	Sept. 7, 1892	O	324
The Universal Aid Society.....	Madison.....	Oct. 5, 1892	O	328
The Athenaeum Literary Society.....	McMinn.....	Oct. 21, 1892	O	332
Troy Land Improvement Company.....	Obion.....	Jan. 24, 1891	Q	107
The Tazewell Cement & Lime Company.....	Clairborne.....	April 13, 1891	Q	126
Treville Nursery Company.....	Knox.....	April 28, 1891	Q	129
The Long Meter Company.....	Hamilton.....	Dec. 2, 1891	Q A	4
The Tennessee Fence Machine Company.....	Davidson.....	March 14, 1893	Q A	23
The Tennessee & Kentucky Land Company.....	Clairborne.....	July 24, 1891	Q Q	181
The Tennessee Real Estate & Investment Company.....	Davidson.....	Sept. 16, 1892	Q Q	216
The South Pittsburg Building & Loan Association.....	Marion.....	March 30, 1891	A 2	9
Tennessee National Building & Loan Association.....	Montgomery.....	April 11, 1891	A 2	10
The Tri-state Building & Loan Association.....	Shelby.....	Aug. 8, 1891	A 2	16
<b>U.</b>				
United Brothers and Sisters of the World.....	Davidson.....	Oct. 7, 1892	O	330
United Brothers of Friendship, etc., etc.....	Obion.....	Jan. 18, 1891	O	217
United Brothers and Sisters of Pity.....	Sumner.....	Dec. 14, 1892	O	3
University Press.....	Davidson.....	Feb. 3, 1891	U	2
Unionist Publishing Company.....	Shelby.....	Feb. 20, 1891	U	2
Union City Ice Company.....	Obion.....	May 12, 1891	U	2
United States Baggage Insurance Company.....	Hamilton.....	March 19, 1892	U	1
Union City Athletic Association.....	Obion.....	April 4, 1893	U U	1
Union Roller Mills & Elevator Company.....	Sumner.....	Jan. 26, 1893	U U	1
Union City Grain Company.....	Obion.....	Oct. 8, 1892	U U	1
Union City Canning Company.....	Obion.....	Oct. 31, 1892	U U	1
University Place Home Company.....	Davidson.....	Nov. 2, 1892	U U	3
United States Central Railway, The.....	Davidson.....	Feb. 2, 1891	S	5
Union Elevator.....	Hamilton.....	Aug. 8, 1891	R	
Union Endowment Life Insurance Company.....	Davidson.....		P P	



# CHARTERED CORPORATIONS — *Continued.*

NAME OF CORPORATION.	County where Registered.	When Registered in Secretary of State's Office.	Book.	Page.
Universal Power Company.....	Davidson	May 29, 1891	P P	127
United States Autograph Telegraph Company.....	Davidson	May 18, 1892	J J	226
Union National Building and Loan Association.....	Davidson	Feb. 27, 1891	A 2	4
Union City National Building & Loan Association.....	Obion	March 2, 1892	A 2	26
Union Bank & Trust Company.....	Davidson	June 4, 1891	Vol. 1,	146
Union Savings Bank.....	Shelby	March 28, 1892	Vol. 1,	158
Union Bank & Trust Company.....	Hamilton	July 8, 1892	Vol. 1,	161
Unicoi Development Company.....	Unicoi	May 28, 1892	Q Q	215
University School of Knoxville.....	Knox	Dec. 24, 1891	Q A	6
Union Methodist Publishing Company.....	Hamilton	Aug. 10, 1892	U U	49
<b>V.</b>				
Vogal Shoe Company.....	Shelby	Dec. 18, 1892	U	337
Valentine Dynamite Company, The.....	Hamilton	March 4, 1891	U	228
Ventilating Grate Company.....	Knox	Sept. 9, 1891	P P	186
Valley Machine Company.....	Washington	March 6, 1893	U	156
Van Vleet Company.....	Shelby	Jan. 2, 1893	U U	112
<b>W.</b>				
Wage-earners' Investment Company.....	Davidson	Feb. 11, 1891	Q	112
Warrior Land & Improvement Company.....	Hamilton	March 28, 1891	Q	121
West End Grocery Company.....	Davidson	Sept. 22, 1891	Q Q	192
West Bristol Land Company, The.....	Sullivan	Sept. 19, 1891	Q Q	195
Watanga Company, The.....	Knox	Jan. 12, 1892	Q Q	204
Willard Park Land & Development Company.....	Roane	April 1, 1891	Q Q	212
Winchester Building Association.....	Franklin	Feb. 21, 1891	A 2	2
Wheelerville Building & Loan Association.....	Marion	March 17, 1893	A 2	47
Watanga Brick Company.....	Carter	April 3, 1893	J J	196
West Nashville Water Supply Company.....	Davidson	July 22, 1892	P P	329
Williams-Jenkins Show Firm Company.....	Knox	Feb. 18, 1893	U U	146
Woodruff, L. F., Improvement & Vehicle Company.....	Shelby	Dec. 24, 1892	U U	108
Watauga Iron Company.....	Carter	Nov. 21, 1892	U	92
West View Cemetery.....	Monroe	Aug. 6, 1892	U U	48
Wilson & Flowers Company.....	Obion	Aug. 10, 1892	U U	48
Wherrell Bi-chloride of Gold Institute.....	Shelby	May 21, 1892	U	1
Waverly College Boarding Hall.....	Humphreys	June 3, 1892	U U	11
William Morrow & Son Jersey Cattle Company.....	Davidson	Feb. 9, 1891	U	205
Willey Railway Electric Signal Company.....	Sullivan	Feb. 25, 1891	U	221
White Cliff Hotel Company.....	Monroe	May 5, 1891	U	451
Warner, Bobo Company.....	Shelby	June 8, 1891	U	266
Washington Coal Company.....	Washington	July 13, 1891	U	298
William Sharp Saddlery Company.....	Knox	Aug. 15, 1891	U	289
W. M. Bray Dry-goods Company.....	Chester	Aug. 24, 1891	U	290
Wilson, E. T., & Company.....	Marshall	Dec. 16, 1891	U	327
Wilder Duplex Electric Burglar Alarm Telegraph Company.....	Shelby	Nov. 22, 1891	U	348
Waverly Fair & Driving Park Company.....	Humphreys	March 7, 1892	U	367
Wheatley's, Miss, Normal Female School for Kindergartens.....	Shelby	March 22, 1892	U	392
West Knoxville Manufacturing Company.....	Knox	May 11, 1892	U	403
Work People & Art Association.....	Davidson	May 20, 1891	O	238
West Cedar Street Baptist Church.....	Davidson	June 29, 1891	O	248
Woman's Christian Temperance Union.....	Roane	Oct. 18, 1891	O	270
Westminster Presbyterian Church.....	Davidson	April 16, 1891	O	294
Williams Academy & Institute.....	Montgomery	March 22, 1893	O	358



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# INDEX.

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# INDEX TO ACTS.

INDEX.	Chap.	Page.
<b>A.</b>		
Academy Rock Spring, trustees appointed .....	85	114
Adjutant-general, salary fixed .....	150	305
Age of consent, females .....	129	273
Alamo School-district, authorizing sale of lot .....	21	30
Anderson and Campbell Counties, old county line re-established .....	60	77
Appeals supreme court, Perry County .....	154	311
Appropriation bill .....	90	149
Army of Tennessee, maintenance of .....	150	305
Asylum, authorizing Davidson to issue bonds therefor .....	17	25
Attorneys' and agents' fees for procuring pensions for indigent and disabled soldiers .....	64	80
<b>B.</b>		
Banks, organization of State .....	91	173
Bedford and Rutherford Counties, changing line .....	28	36
Bledsoe County, game protected .....	59	76
Blount County, game protected .....	166	336
Board of Education, taxing power and duties thereof .....	8	10
Boarding prisoners, how paid .....	138	283
Bonds authorized to be issued by Fentress County .....	69	85
Bonds authorized to be issued by Nashville for street improvements .....	94	199
Bonds, Bradley County authorized to issue, for court-house .....	162	320
Bonds, bridges, Hamilton County authorized .....	116	260
Bonds, Clarksville authorized to issue .....	157	313
Bonds, Columbia authorized to issue .....	148	302
Bonds, Davidson County authorized to issue bonds for insane asylum .....	17	25
Bonds, Dyersburg authorized to issue .....	144	293
Bonds, East Knoxville authorized to issue .....	181	374
Bonds, Huntingdon authorized to issue .....	135	278
Bonds for insane asylum authorized to be issued by Shelby County .....	79	105
Bonds, Jackson authorized to issue .....	182	388
Bonds, Kingston authorized to issue .....	132	276
Bonds, Lexington authorized to issue, for railroad stock .....	163	321
Bonds, market-house, authorized to be issued by Memphis .....	85	115
Bonds, Morristown authorized to issue .....	88	118
Bonds, Nashville authorized to issue sewer and bridge .....	160	316
Bonds or warrants authorized to be issued by County Courts .....	109	229
Bonds, railroad, funded or compromised .....	105	212
Bonds, Sevier County authorized to issue .....	145	296
Bonds, Shelbyville authorized to issue .....	122	265
Bonds, State, authorized issuance thereof .....	97	202
Bonds, West Knoxville authorized to expend \$5,000 out of proceeds of .....	168	388
Bonds, Winchester authorized to issue .....	130	275
Building and loan associations, defining powers of .....	12	18
Building and loan associations, examination thereof .....	114	238
Bradley County, authorized to issue bonds for court-house .....	162	320
Bradley County, game protected .....	152	309
Bristol, charter amended .....	143	289
Bristol, court jurisdictions enlarged .....	165	334
Brownsville, incorporation thereof .....	93	182

INDEX.	Chap.	Page.
C.		
Campbell and Anderson Counties, old county line re-established-----	60	77
Campbell County, game protected-----	128	273
Cardiff, corporation abolished-----	55	74
Cardiff, corporation abolished-----	133	277
Carroll, to prevent the erection of fish-dams across running streams-----	43	55
Carroll and Henderson, changing line-----	3	4
Carter County, game protected-----	128	273
Carter and Washington Counties, game protected-----	31	38
Cemetery, Winchester, Memphis, to remove bodies therefrom-----	104	210
Chancery court charters, how amended-----	146	299
Chancery division, twelfth, established-----	100	207
Charlotte, charter of incorporation abolished-----	71	88
Charter, Bristol, amended-----	143	289
Charter, Columbia, amended-----	186	417
Charter, Jackson, amended-----	142	287
Charter, Johnson City, amended-----	115	239
Charter, Jellico, amended-----	185	405
Charter abolished, Macon-----	178	370
Charter, Pulaski, amended-----	175	358
Charter, Ripley, amended-----	187	430
Charters, municipal corporations over 75,000 amended-----	141	286
Cheatham and Dickson County, line changed-----	119	263
Chester and Hardeman Counties, changing line between-----	30	37
Chester and Henderson Counties, line changed-----	81	108
Civil engineer, taxing districts, appointment thereof-----	103	210
Chinese pheasant, protected-----	131	276
Child, under twelve years of age, prohibited from work in factories, etc.-	159	315
Claiborne County, County Judge abolished-----	80	107
Claiborne County, game protected-----	128	273
Clarksville, authorized to issue bond-----	157	313
Clay and Pickett County, line changed-----	57	75
Clay County, game protected-----	128	273
Clerks and registers required to index records-----	66	82
Clerks of courts required to pay funds and fees into the county treasury	65	81
Clerk and master's fees, amendatory-----	4	5
Cleveland, charter amended-----	184	391
Clifton, corporate limits reduced-----	121	264
Coffee and Cannon, line changed-----	58	75
Columbia, authorized to issue bonds-----	148	302
Columbia, charter amended-----	186	417
Commissioners, turnpike, how elected-----	177	368
Communicable diseases, to prevent the spread thereof among domestic animals-----	180	371
Communicable diseases, to prevent spread thereof-----	151	307
Collateral inheritance tax, provided for-----	174	347
Consent, female, age thereof-----	129	273
Cookeville, Washington Academy, grounds and buildings, how conveyed-	158	315
Corporation, Cardiff, abolished-----	133	277
Corporate limits, Clifton, reduced-----	121	264
Corporate limits, Kenton, extended-----	164	329
Corporate limits, Lexington, extended-----	139	284
Corporate lines, Morristown, changed-----	113	236
Corporations, municipal, of 36,000, created and organized-----	127	271
Corporate line, McKenzie, changed-----	169	339
Corporation, Nashville, extended-----	155	311

INDEX.	Chap.	Page.
Corporate line of Nashville changed .....	37	42
Corporations, organization of, amended .....	11	15
Corporation, Shelbyville, to compile acts .....	123	267
County bonds, or funding warrants, authorized .....	109	229
County Judge of Giles County created .....	77	94
County Judge of Jefferson County abolished .....	167	337
County Commissioner of Fish, office created .....	136	281
County line, Dickson and Cheatham, changed .....	119	263
County line, Dyer and Lauderdale, changed .....	120	263
County line, Lake and Obion, changed .....	173	346
County line, Sequatchie County, established .....	176	359
County railroad bonds, funded or compromised .....	105	212
Court jurisdictions, Bristol, enlarged .....	165	334
Covington Academy, trustees authorized to dispose of the property .....	75	93
Covington authorized to borrow \$10,000 .....	106	214
Covington, authorized to maintain public schools .....	171	340
Covington, corporate limits extended .....	14	22
Creek, Poor Valley, declared navigable .....	82	109
Crockett and Dyer Counties, changing line .....	22	31
Cumberland County Judge abolished .....	125	270
Cumberland County, game protected .....	59	76
Cumberland County, game protected .....	128	273
Cumberland Gap, charter repealed .....	63	79
Cumberland Gap, Law and Chancery Court established .....	112	235
Cowan City, charter repealed .....	34	40
<b>D.</b>		
Dams authorized to be constructed across Nolachucky River .....	70	87
Davidson County, authorizing the issuance of bonds for insane asylum .....	17	25
Davidson, Williamson, and Rutherford, changing line .....	2	4
Dayton, authorized to issue bonds .....	50	66
DeKalb County, game protected .....	59	76
DeKalb County, County Judge created .....	49	65
DeKalb County, redistricting thereof .....	67	83
DeKalb and Smith Counties, changing line .....	20	30
DeKalb and Smith Counties, line changed .....	73	91
Dickson and Cheatham County, line changed .....	119	263
Diseases, communicable, to prevent spread of .....	151	307
Domestic animals, protected against spread of communicable diseases .....	180	371
Duck River, declared not navigable .....	138	391
Dyersburg, authorized to issue bonds .....	144	293
Dyer and Crockett Counties, changing line .....	22	31
Dyer and Lauderdale Counties, line changed .....	120	263
<b>E.</b>		
East Knoxville, incorporated and authorized to issue bonds .....	181	374
Electors, Presidential, date of meeting fixed .....	172	345
Establishing School District No. 22, Franklin County .....	68	84
Establishing Twelfth Chancery Division .....	100	207
Examination, Building and Loan Association .....	114	238
<b>F.</b>		
Factories, workshops, etc., prohibited from employing child under twelve years of age .....	159	315

INDEX.	Chap.	Page.
Fees, state officials, regulating same-----	6	7
Fees, unclaimed, to be paid into county treasury-----	65	81
Fentress County, authorized to issue bonds-----	69	85
Fentress County, game protected-----	59	76
Fentress County, game protected-----	128	273
Fish law amended, Sullivan County-----	9	13
Fish, County Commissioner of, created-----	136	281
Fish, prohibiting catching thereof in Watauga River, in Carter County-----	35	41
Fish traps and dams, prohibited in the counties of Gibson, Obion, Weakley, Carroll, and Montgomery-----	43	55
Flintville, corporation abolished-----	26	34
Franklin County, establishing School-district No. 22-----	68	84
Franklin County, game protected-----	147	301
Franklin, to provide for more efficient mode of collecting taxes-----	72	89
<b>G.</b>		
Gallatin, charter amended-----	54	72
Game, protected in Bledsoe, Cumberland, Rhea, Fentress, White, Hamilton, Warren, Johnson, Hancock, Unicoi, DeKalb, and Montgomery-----	59	76
Game protected, Blount County-----	166	336
Game, protected in certain counties-----	128	273
Game, in Franklin County, protected-----	147	301
Game, protection of, Gibson, Montgomery, Giles, and Lincoln-----	15	24
Game protected, Greene and Bradley Counties-----	152	309
Game, to protect in Washington and Carter Counties-----	31	38
Giles County, County Judge created-----	77	94
Gibson, game protected-----	15	24
Gibson County, to prevent erection of fish-dams across running streams-----	43	55
Giles, game protected-----	15	24
Giles and Maury Counties, times of holding Circuit Court changed-----	10	14
Governor, empowered to repel invasions-----	149	304
Governor, Private Secretary created-----	134	276
Greene County, authorized to sell interest in Rhea Academy-----	137	282
Greene County, game protected-----	152	309
<b>H.</b>		
Hamilton County, authorized to issue bridge bonds-----	116	260
Hamilton County, game protected-----	59	76
Hancock County, game protected-----	59	76
Hamilton and James, county line changed-----	47	63
Hardeman and McNairy, line changed-----	44	56
Hardeman and Chester Counties, changing line between-----	30	37
Hardin and McNairy Counties, changing line-----	17	29
Hardin and McNairy, county line changed-----	53	71
Hawkins and Hamblen Counties, old county line re-established-----	83	109
Henderson County court, decree confirmed as to county railroad tax-----	111	231
Henderson County, railroad county tax applied-----	111	231
Henderson and Carroll, change line-----	3	4
Henderson and Chester Counties, line changed-----	81	108
Henry County, game protected-----	128	273
Home of Confederate Soldiers, support and benefit thereof-----	87	117
Humboldt, authorized to issue bonds-----	42	54
Huntingdon, authorized to issue bonds-----	135	278



INDEX.	Chap.	Page.
<b>I.</b>		
Indigent and disabled soldiers, amending an act relative to .....	64	80
Indigent and disabled soldiers, how provided for .....	161	318
Insane asylum, Shelby County authorized to issue bonds to construct same .....	79	105
Insurance companies, to pay full amount of policies .....	107	216
Invasions, Governor authorized to suppress .....	149	304
<b>J.</b>		
Jackson, authorized to hold an election and issue bonds .....	182	388
Jackson, boundaries extended .....	142	287
Jail fees, costs thereof provided for .....	138	283
Jamestown, charter repealed .....	32	39
Jamestown, trustees authorized to sell property .....	126	270
Jackson and Putnam Counties, changing county line .....	102	209
James and Hamilton, county line changed .....	47	63
Jellico, charter amended .....	185	405
Jefferson County, County Judge abolished .....	167	337
Johnson County, game protected .....	59	76
Johnson County, game protected .....	128	273
Johnson City, charter amended .....	115	239
Judge, Weakley County, created .....	124	268
Judge, county court, Giles County, created .....	77	94
Jurisdiction, court, Bristol, enlarged .....	165	334
Judge, Cumberland County, abolished .....	125	270
<b>K.</b>		
Kenton, corporate limits extended .....	164	327
Kingston, authorized to issue bonds .....	132	276
Knoxville, act repealed extending boundaries .....	56	74
Knoxville, city officers, leave of absence provided .....	156	312
<b>L.</b>		
Lake and Obion Counties, line changed .....	173	346
Lands, school, how leased for mining purposes .....	153	310
Land-owners, protected against damages caused by changing, repairing, improving highways or townways .....	41	53
Lauderdale and Dyer, county line changed .....	120	263
Law and Chancery Courts established, Cumberland Gap .....	112	235
Lebanon, corporation reduced .....	96	201
Librarian, Governor authorized to appoint .....	92	181
Leave of absence, city officials, Knoxville, provided for .....	156	312
Lewis and Maury, changing line .....	7	9
Lexington, authorized to issue bonds in exchange for railroad stock .....	163	321
Lexington, corporate limits extended .....	139	284
Lexington, railroad tax, how applied .....	111	231
Lincoln, game protected .....	15	24
<b>Mc.</b>		
McKenzie, corporate line changed .....	169	339
McKenzie, charter amended .....	98	205
McMinn and Polk, changing line .....	1	3
McMinnville, corporate limits established .....	110	230

INDEX.	Chap.	Page.
McNairy and Hardin, changing line .....	19	29
McNairy and Hardeman, line changed .....	44	56
McNairy and Hardin, county line changed .....	53	71
<b>M.</b>		
Macon, charter abolished .....	178	370
Market-house bonds authorized to be issued by Memphis .....	85	115
Marion County, time of holding Quarterly Court changed .....	48	64
Mason, charter amended .....	29	36
Maury and Williamson Counties, changing line .....	27	35
Maury and Giles Counties, times of holding Circuit Court changed .....	10	14
Maury and Lewis, changing line .....	7	9
Meigs County, game protected .....	128	273
Memphis authorized to issue market-house bonds .....	86	115
Memphis, conferring additional powers on the Legislative Council .....	84	110
Memphis, names of city officials changed, and providing for the election thereof .....	95	200
Montgomery County, game protected .....	59	76
Montgomery County, railroad funds, how applied .....	179	370
Montgomery County, to prevent the erection of fish-dams across running streams .....	43	55
Montgomery, game protected .....	15	24
Montvale Springs, charter abolished .....	117	261
Morgan County, game protected .....	128	273
Morristown, corporate lines changed .....	113	236
Morristown, authorized to issue bonds .....	88	118
Municipal corporations over 75,000, amended .....	141	286
Municipal corporations, defining powers of, amending Chapter 114 Acts 1883 .....	8	10
Murfreesboro, Tenn., authorizing the issuance of bonds .....	13	20
Municipal corporations of 36,000, created and organized .....	127	271
<b>N.</b>		
Nashville, corporate limits changed .....	36	42
Nashville, authorized to issue sewer and bridge bonds .....	160	316
Nashville, corporate limits extended .....	156	311
Nashville, authorized to issue bonds for street improvements .....	94	199
National Guards, maintenance of .....	150	305
Newport, Board of Public Works created .....	40	50
Newport, amending charter thereof .....	25	34
Newport, corporate limits extended .....	24	33
Newberg, incorporation thereof .....	23	32
<b>O.</b>		
Obion and Lake Counties, line changed .....	173	346
Obion County, to prevent the erection of fish-dams across running streams .....	43	55
Outgoing Clerks and Masters, fees, amendatory .....	4	5
<b>P.</b>		
Paducah, Tennessee & Alabama Railroad tax in Henderson County, applied .....	111	231
Perishable Property, regulating sale thereof .....	16	25
Penitentiary, erection of provided for .....	78	96

INDEX.	Chap.	Page.
Penitentiary, bonds authorized to be issued for the erection thereof-----	97	202
Perry County, appeals Supreme Court, Jackson-----	154	311
Pharmacy, State Board of, established-----	39	44
Pheasant, Chinese, protected-----	130	276
Pickett and Clay Counties, line changed-----	58	75
Pickett County, game protected-----	128	273
Polk and McMinn Counties, changing line-----	1	3
Poor Valley Creek, declared navigable-----	82	109
Probate Judge Shelby County, made Judge Second Circuit Court-----	62	78
Private Secretary to Governor, created-----	134	276
Presidential Electors, date of meeting fixed-----	172	345
Public bridges, act. amending-----	76	93
Putnam and Jackson Counties, changing county line-----	102	209
Putnam County, game protected-----	128	273
Public schools, Covington authorized to maintain-----	171	340
Pulaski, charter amended-----	175	358
<b>R.</b>		
Railroad terminal corporations, providing for the organization, and de- fining powers thereof-----	11	15
Railroad county bonds funded or compromised-----	105	212
Railroad, Lexington authorized to issue bonds for stock-----	163	321
Railroad funds, Montgomery County, how applied-----	179	370
Regulating fees of State officials-----	6	7
Reports, Superintendents of Turnpikes, amended-----	36	41
Real estate, to protect owners of, amended-----	41	53
Records of Clerks and County Registers required to be indexed and cross-indexed-----	66	82
Redistricting DeKalb County-----	67	83
Revenue, provided for-----	89	122
Rhea County, game protected-----	59	76
Rhea County, game protected-----	128	273
Rhea Academy, county authorized to sell interest-----	137	282
Rhea Academy, authorized to sell real estate-----	170	340
Ripley, charter amended-----	187	430
Rockwood, Special Court abolished-----	52	70
Rocky Spring Academy, trustees appointed-----	85	114
Rogersville, charter amended-----	108	217
Rutherford, Williamson, and Davidson, changing line-----	2	4
Rutherford and Williamson, changing line-----	5	6
Rutherford and Bedford Counties, changing line-----	28	36
<b>S.</b>		
School lands, how leased for mining purposes-----	153	310
School bonds, Winchester authorized to issue-----	130	275
Scott County, game protected-----	128	273
Sequatchie, county line established-----	176	359
Sevier County, authorized to issue bonds-----	145	296
Secretary, Private, to Governor, created-----	134	276
Sequatchie County, game protected-----	128	273
Second circuit, Shelby County, created-----	99	205
Sequatchie County, County Judge created-----	51	69
Shelbyville, to compile incorporation thereof-----	123	267
Shelbyville, authorized to issue school-bonds-----	122	265
Shelby County, creating second circuit court-----	99	205

INDEX.	Chap.	Page
Shelby County, authorized to issue bonds for insane asylum -----	79	105
Shelby County, Probate Judge made Judge of second circuit court -----	62	78
Smith and DeKalb Counties, line changed -----	73	91
Smith and DeKalb Counties, changing line -----	20	30
Soldiers of late war, disabled and indigent, how provided for -----	161	318
Soldiers' Home, support and benefit thereof -----	87	117
State bonds, authorized to be issued -----	97	202
State banks, authorized -----	91	173
State board of pharmacy, established -----	39	44
State officials, regulating fees of -----	6	7
Sullivan County, game protected -----	128	273
Superintendent of turnpikes, report amended -----	36	41
Sullivan County, fish law amended -----	9	13
T.		
Taxing districts, second class, amended -----	18	28
Tazewell, charter repealed -----	33	40
Taxes, more efficient mode of collecting in Franklin -----	72	89
Taxing districts, establishment of, amended -----	74	92
Taxing district of Shelby County, additional powers conferred on Legislative Council -----	84	110
Taxing districts, names of officers changed -----	95	200
Taxing districts, civil engineer, mode of appointment -----	103	210
Taxes, providing a more efficient mode of collecting in Bristol -----	143	289
Tennessee Confederate Soldiers' Home, support and benefit thereof -----	87	117
Trenton, corporate limits extended -----	38	43
Trustees, Jamestown, authorized to sell property -----	126	270
Trustees, University of Tennessee, authorized to sell certain lands -----	140	285
Turnpikes, superintendents' report amended -----	36	41
Turnpikes, digging up or obstructing prohibited -----	61	78
Turnpike law amended -----	177	368
Twelfth Chancery Division established -----	100	207
U.		
Unicoi County, game protected -----	59	76
Uniform ballot law amended -----	101	208
University of Tennessee, authorized to sell certain lands -----	140	285
V.		
Van Buren County, game protected -----	128	273
Valued insurance policy law -----	107	216
W.		
Washington and Carter Counties, game protected -----	31	38
Warren County, game protected -----	59	76
Washington Academy, Cookeville, grounds and buildings, how conveyed -----	158	31
Weakley County, to prevent the erection of fish-dams across running streams -----	43	5
Weakley County Judge created -----	124	26
West Knoxville authorized to expend \$5,000 out of proceeds of sale of bonds -----	168	388
White Pine incorporated -----	46	57
White County, game protected -----	59	76

INDEX.	Chap.	Page.
White County, game protected-----	128	273
Williamson, Davidson, and Rutherford, changing line-----	2	4
Williamson and Rutherford, changing line-----	5	6
Williamson and Maury, changing line-----	27	35
Winchester Cemetery, Memphis, to remove bodies therefrom-----	104	210
Winchester, authorized to issue bonds-----	130	275
Wolf River, declared navigable-----	118	262

# SENATE JOINT RESOLUTIONS.

No.	INDEX.	Page.
21	Announcing the administration of oath of Gov. Turney-----	461
72	Committee to investigate offices of Comptroller and Treasurer-----	483
47	Comptroller and Treasurer, committee to investigate accounts of-----	476
40	Currey, Dr. J. L. M., invited to address assembly-----	472
13	Committee to examine State officials and Direct Tax Commission-----	456
7	Committee to examine Commissioner of Agriculture and Commissioner of Labor relative to fees-----	456
61	Davis, E. T., Sheriff, \$120 appropriated to-----	481
6	Direct Tax Commissioners to report-----	456
77	Funding Board, authorized to borrow money and appoint fiscal agent in New York-----	485
60	Funding Board directed to cancel bonds-----	481
52	Fees, direct tax abolished-----	478
53	Governor authorized to appoint agent to collect direct tax-----	487
20	Governor, provisions for inauguration-----	460
22	Henry R. Sherrod, death of-----	462
49	Home products recommended-----	477
26	Investigating committee, instructions to-----	465
32	Jake Young, Comptroller to issue warrant in favor of-----	460
42	Joint committee to make investigations relative to state's interest in E. T., V. & G. R. R.-----	473
4	Joint session to meet-----	457
81	Land Register's office declared office of State Treasurer-----	464
73	McCord, Laps D., Comptroller authorized to notify-----	484
30	Memorial of N. Baxter, Jr., to general assembly-----	467
47	Mining troubles, committee-----	476
63	Polk tomb, permission to remove to capitol grounds-----	482
25	Printing bills, relative to-----	465
17	Presidential elections, per diem and mileage-----	457
54	Railroad bonds, congress requested to adjust claim of state-----	479
46	Recess, time fixed, and committees appointed to sit during same-----	474
47	Redistricting committee-----	476
41	Redistricting state, judicial, circuit, and chancery, committee appointed---	472
36	Representatives, instructions to-----	470
24	Rutherford B. Hayes, death of-----	464
44	State printer, committee appointed to investigate-----	474
28	State officers, to elect-----	466
33	Superintendent of Public Instruction, committee to investigate office-----	469
37	United States Senators, favoring election by direct vote-----	471
23	United States Senator, election of same-----	469
19	University of Tennessee, trustees appointed-----	

## SENATE RESOLUTIONS.

No.	INDEX.	Page.
31	Allen, J. W., ex-Comptroller, \$321.30 refunded .....	496
5	Assistant Engrossing Clerk, Speaker authorized to appoint.....	488
20	Blaine, Jas. G., death of.....	492
21	Confirming Board of Trustees of Industrial School.....	493
3	Committee appointed to notify Governor of organization.....	487
14	Chair for Speaker, authorized to be procured.....	491
36	Charles, Mrs., death of.....	497
9	Clerk authorized to prepare calendar.....	490
8	Clerk authorized to have drawers fitted in desk.....	489
38	Ingram, Jas. E., compensated for services.....	497
24	Investigating Committees, number increased.....	494
33	Jungerman, J., Comptroller authorized to draw warrant in favor of.....	497
27	Lurton, H. H., recommended for Circuit Judge.....	495
45	Night session.....	497
2	Notifying House of organization.....	487
1	Pages, provided.....	487
15	Perkins, Capt. Thos. F., death of.....	491
7	Postage-stamps provided.....	489
23	Robinson, T. J., Comptroller authorized to issue warrant to.....	494
10	Roster, authorized to be prepared.....	490
4	Rules of Senate of Forty-seventh General Assembly adopted.....	488
17	Sergeant-at-Arms, to have desks fixed.....	492
13	Sergeant-at-Arms, authorized to purchase waste-baskets.....	491
11	Sergeant-at-Arms, directed to fix doors.....	490
41	Senators' speeches limited.....	497
30	Senator Barton, attack upon condemned.....	495
28	Sergeant-at-Arms, instructed to remain during recess.....	495
26	Speaker invited to join investigating committee.....	494
22	Superintendent of Capitol, commended.....	493
6	Treasurer authorized to pay Overstreet \$2.60.....	489
32	Young, Jake, Comptroller authorized to draw warrant in favor of.....	497

# HOUSE JOINT RESOLUTIONS.

No.	INDEX.	Page.
80	Attorney-general, authorized to institute suit against state officials under certain conditions -----	514
32	Board of trustees, University of Nashville, confirmed -----	504
44	Cavitt, N. Y., death of -----	507
100	Committee appointed to investigate contention between state and penitentiary lessees -----	515
74	Committee to investigate Comptroller and Treasurer, time extended ----	513
63	Commissioner of Labor, report authorized to be printed in full -----	512
38	Committee appointed to investigate how funds were used appropriated for capitol improvement, etc. -----	505
7	Coal oil inspectors, committee appointed to ascertain the number -----	499
53	Governor, authorized to appoint committee to locate the position of the lines of Tennessee troops at Chickamauga and Chattanooga -----	509
30	Heiskell's and Lee's Supreme Reports, 300 of each authorized printed ---	503
48	Jackson, Gen. Andrew. committee appointed to consider advisability of purchasing relics and personal property belonging to -----	508
59	Knox, Frank M., \$35 appropriated to -----	511
43	Lamar, L. Q. C., death of -----	506
78	Librarian, authorized to furnish circuit court of appeals with reports ----	513
3	Massengill, Hon. J. W., sympathy of general assembly expressed to -----	499
35	Penitentiary, committee appointed to approximate value and location of coal lands -----	504
13	Public printer, authorized to print reports of various officers -----	500
56	Report of committee on agriculture, 35,000 copies authorized to be printed	510
31	State printer, directed to furnish scale of rates -----	503
20	Stevenson, Adlai A., joint convention in honor of -----	502
23	Superintendent of capitol, committee appointed to investigate -----	502
82	Treasurer, authorized to take possession of bonds deposited in New York -	515



# HOUSE RESOLUTIONS.

No.	INDEX.	Page.
48	Assistant engrossing clerk to be appointed .....	528
77	Barton, Senator, attack on, condemned .....	537
4	Calendar, revised, authorized to be prepared .....	518
82	Charles, Mrs., death of .....	539
6	Code, copies of, authorized to be furnished .....	518
60	Committee to investigate cost of matting .....	532
56	Committee to investigate electric lights .....	532
49	Committee authorized to sit in Knoxville .....	529
42	Committee to ascertain names of individuals furnishing arms in State rebellion .....	527
32	Committees, fixing time of meeting, hour, and room .....	525
26	Committee on Rules, Speaker <i>ex officio</i> member .....	525
2	Crockett, C. W., Treasurer authorized to pay .....	517
85	Davis, Hon. Ralph, committee to investigate authorized to employ stenographer .....	540
79	Davis, Ralph, investigating committee authorized to send for persons, papers, etc .....	539
53	Davis, Hon. Ralph, requested to resign Speakership .....	530
54	Davis, Hon. Ralph, removed .....	531
14	Desks repaired .....	521
66	Directory, to special committee .....	534
74	DuBose, J. J., instructions to special committee regarding impeachment .....	537
33	Electric light, committee appointed to investigate cost of .....	526
24	Expert, to open safe .....	524
67	Gladstone, Hon. Wm. E., his efforts in behalf of Ireland commended .....	534
64	Glidwell, Warren, \$50 appropriated to .....	534
15	Gregory, Capt. Tom, death of .....	521
38	Hall, use of tendered to Mrs. Mary H. Hurt .....	526
36	Hall, tendered to citizens, etc. ....	526
50	Howard, Joseph, authorized to receive pay as porter .....	529
3	Journal Clerk, Speaker authorized to appoint .....	518
46	Kerber-Massengill case, Clerk authorized to have printed testimony .....	528
78	Managers of DuBose prosecution, instructions to .....	538
69	Military affairs, committee to investigate arms and equipments .....	535
31	Musgrove, H. C., \$15 appropriated to .....	525
17	Members of congress, discouraging instructions of .....	522
84	Night sessions same as day sessions .....	539
73	Night sessions, consideration of bills extended .....	536
61	Night sessions .....	533
10	Porters, fixing salaries of .....	520
51	Redistricting committee, Speaker authorized to appoint additional members .....	530
13	Roster, authorized to be prepared .....	520
	Sergeant-at-Arms to have door fixed .....	525
	Sergeant-at-Arms to have safe opened .....	523
	Sergeant-at-Arms to furnish table .....	523
	Sergeant-at-Arms, Comptroller authorized to draw warrant in favor of .....	523
	Sergeant-at-Arms authorized to put racks in committee rooms .....	520
	Sergeant-at-Arms to purchase matting .....	536
	Sergeant-at-Arms directed to keep Engrossing Clerk's room cleared .....	535
	Secretary of State authorized to purchase codes .....	519
	Spurrier, Mather, and Cardwell, sympathy expressed .....	521

No.	INDEX.	Page.
75	Special committee appointed to report on charges against Judge J. J. Du- Bose -----	537
94	Speaker authorized to appoint additional Engrossing Clerk -----	540
9	Stamps, authorized to be purchased -----	519
1	Sullivan & Treble. Treasurer authorized to pay -----	517
53	Superintendent of Capitol instructed to have carpet cleaned -----	531
63	Sundry accounts allowed -----	533
93	Superintendent of Capitol to remove carpet -----	540
43	Turrentine, Miss Jennie, appropriated \$60 -----	527











